

AFFIDAVIT

The purpose of this affidavit is to certify that pursuant to *The Process Guidelines for Development Review Applications*, informational mailing letters regarding Departure from Design Standards (DDS-22005) and Departure from the Number of Parking and Loading Spaces Required (DPLS-22007) for University Square Shopping Center, 1500 University Boulevard, Hyattsville, Maryland 20783, were mailed to all adjoining property owners, registered associations, municipalities within a mile, and previous parties of record. The letters, dated July 7, 2023, were mailed on July 7, 2023.

A copy of the letter and a list of those parties receiving the letter are attached and marked as Exhibits A and B.

I, Thomas H. Haller, solemnly affirm under the penalties of perjury and upon personal knowledge that the contents of the foregoing paper are true.

  
\_\_\_\_\_  
Name  
  
\_\_\_\_\_  
Date 7/7/23

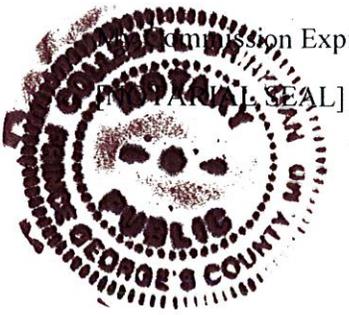
STATE OF MARYLAND  
COUNTY OF PRINCE GEORGE'S, ss:

I HEREBY CERTIFY that on this 7<sup>th</sup> day of July, 2023, before me, the subscriber, a Notary Public, for the State and County aforesaid, personally appeared Thomas H. Haller, being authorized to execute this Affidavit in accordance with the requirements of the Prince George's County Zoning Ordinance for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

  
\_\_\_\_\_  
Notary Public

**Colleen L. Brinkman**  
Notary Public  
Pr. George's County, Maryland  
Commission Expires: 6/6/2027



Commission Expires: \_\_\_\_\_

LAW OFFICES  
**GIBBS AND HALLER**  
1300 CARAWAY COURT, SUITE 102  
LARGO, MARYLAND 20774

EDWARD C. GIBBS, JR.  
THOMAS H. HALLER  
JUSTIN S. KORENBLATT

(301) 306-0033  
FAX (301) 306-0037  
gibbshaller.com

July 7, 2023

Re: Departure from Design Standards DDS-22005;  
Departure from the Number of Parking and Loading Spaces Required DPLS-22007  
University Square Shopping Center, 1500 University Boulevard, Hyattsville, MD 20783

Dear Sir or Madam:

A Departure from Design Standards application and a Departure from the Number of Parking and Loading Spaces Required application for the University Square Shopping Center will be submitted for review to the Development Review Division of The Maryland-National Capital Park and Planning Commission, M-NCPPC.

The address of the subject property is 1500 University Boulevard, which is located in the northeast quadrant of the intersection of University Boulevard and 15<sup>th</sup> Avenue. The property consists of approximately 2.05 acres and is zoned LTO-c (formerly C-S-C) and is improved with a shopping center containing 29,090 square feet. The nature of the review is to permit the owner to reconfigure the existing parking lot as the result of the taking of land by the State of Maryland for the construction of the Purple Line. This taking reduced the number of parking spaces below the minimum required and restricts vehicle flow. The reconfiguration of the parking lot will allow the number of remaining spaces to be increased and improve site circulation.

If you wish to become a Person of Record to this application, you are encouraged to do so at this time. Persons of Record are entitled to certain rights under the zoning and subdivision laws, but registration is required. You may register online at [http://www.mncppcapps.org/planning/Person\\_of\\_Record/default.cfm](http://www.mncppcapps.org/planning/Person_of_Record/default.cfm), or you may submit your name, address, and the above-referenced pre-application numbers and name by mailing a written request to:

The Maryland National Capital Park and Planning Commission  
Development Review Division  
14741 Governor Oden Bowie Drive  
Upper Marlboro, MD 20772

Being a Person of Record on a separate application on the same property **does not** make you a Person of Record for these applications. You must request to become a Person of Record for each separate application (separate applications have different application numbers). At this time, no government agency has reviewed the applications. **After** the applications have been filed, you may contact the M-NCPPC at 301-952-3530.

**IMPORTANT:** *This notice is your opportunity to interact with the applicant prior to the acceptance of the subject applications. Once an application is accepted, it may be subject to mandatory action time frames that are established by law. Contacting the applicant as soon as possible after receiving this notice will help facilitate your ability to receive information and/or establish a time when the applicant may meet with you or your civic group to provide information and answer questions about the development proposed. Any concerns regarding an applicant's failure to provide information or engage in dialogue about the proposed development should be directed in writing to the same mailing address listed for becoming a party of record. Please be sure to include the application number with any such correspondence.*

If you are interested in receiving more information about this application, reviewing a copy of a site plan, or meeting to discuss the project, you may contact Thomas H. Haller, the attorney for the applicant, at 301-306-0033.

Sincerely,



Thomas H. Haller

*Exhibit "A"*

Hon. Robert S. Croslin, Mayor  
City of Hyattsville  
4310 Gallatin St.  
Hyattsville, MD 20781

Gr. Pr. George's Business Roundtable  
10201 MLK, Jr. Highway, #220  
Bowie, MD 20720

University Hills Area Civic Assn. (UHACA)  
7117 Pony Trail Lane  
Hyattsville, MD 20782

Ever May Village HOA  
Attn: Agnes Brown  
1007 Higgins Way  
Hyattsville, MD 20782

Prince George's Chamber of Commerce  
4640 Forbes Blvd., #130  
Lanham, MD 20706

Brighton Place HOA  
12200 Tech Rd., #325  
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Lewisdale Citizens Assn.  
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Hyattsville, MD 20782

Takoma Branch Civic Assn.  
6810 Red Top Rd., Apt. 3  
Takoma Park, MD 20912

Melwood Park Assn.  
c/o Procom  
400 Serendipity Dr.  
Millersville, MD 21108

State of Maryland  
P.O. Box 7356  
Gaithersburg, MD 20895

Arts District East HOA  
c/o Norman Legomand  
3130 Fairview Park Dr., #200  
Falls Church, VA 22042

State Highway Administration  
1606 E. University Blvd.  
Hyattsville, MD 20783

Save our Sustainable Hyattsville  
Attn: Greg Smith  
4204 Farragut St.  
Hyattsville, MD 20781

Anita Fulwood  
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Attn: Jason R. Clayton  
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Hyattsville, MD 20783

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Attn: Stuart Eisenberg  
4314 Farragut St.  
Hyattsville, MD 20781

LA Union Center LLC  
P.O. Box 206  
Clarksburg, MD 20871

Avonridge Comm. Development Corp.  
P.O. Box 5933  
Hyattsville, MD 20782

Serene LLC  
c/o Southern Management Corp.  
1950 Gallows Rd., #600  
Vienna, VA 22182

LP TIK LLC ETAL  
5003 Crape Myrtle Ct.  
Ellicott City, MD 21042

Shellhorn Langley LLC  
4912 Del Ray Ave.  
Bethesda, MD 20814

Linder D. Carothers  
1700 Hannon St., #102  
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Pep Boys-Manny Moe & Jack  
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John O. Babarinde  
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Sandra D. Perez  
1704 Hannon St., Unit 105  
Hyattsville, MD 20783

***Exhibit "B"***

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Hyattsville, MD 20783

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4912 Del Ray Ave.  
Bethesda, MD 20814

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1702 Hannon St., Unit T-3  
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1400 University Boulevard Owner  
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1400 16th St., N.W., #430  
Washington, D.C. 20036

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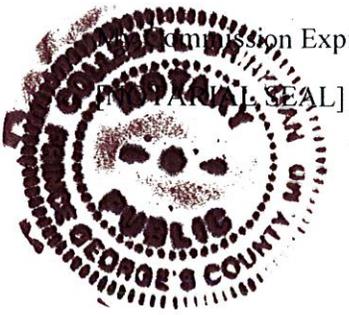
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July 7, 2023

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Alfred D. Walsh, Jr.  
2756 Iverson St., Unit 73  
Temple Hills, MD 20748

APPLICATION FORM

DO NOT WRITE IN THIS SPACE

Application No.(s): \_\_\_\_\_ Planning Board Review  Planning Director Review 
Acceptance Date: \_\_\_\_\_ 70-day limit: \_\_\_\_\_ Limit waived-New limit: \_\_\_\_\_
Posting Waived  Posting Date: \_\_\_\_\_ No. of Signs Posted: \_\_\_\_\_ Agenda Date: \_\_\_\_\_
Application Fee: \_\_\_\_\_ Posting Fee: \_\_\_\_\_ Case Reviewer: \_\_\_\_\_
Subdivision Development Review Committee Date: \_\_\_\_\_
Referral Mail-Out Date: \_\_\_\_\_ Referral Due Date: \_\_\_\_\_
Date of Informational Mailing: \_\_\_\_\_ Date of Acceptance Mailing: \_\_\_\_\_

APPLICATION TYPE: DDS  Revision of Case # \_\_\_\_\_ Companion Cases: DPLS-22007
Payment option:  Check (payable to M-NCPPC)  Credit Card General Plan Growth Policy:

PROJECT NAME: University Place Shopping Center

Complete address (if applicable) 1500 University Boulevard, Hyattsville, MD 20783 Tax Account #: 1904598
Geographic Location (distance related to or near major intersection) Police District #: |
Northeast quadrant of the intersection of University Boulevard and 15th Avenue

Table with 3 columns: Total Acreage (2.0528), Aviation Policy Area (N/A), Election District (17); Tax Map/Grid (32/C3), Current Zone(s) (LTO-c (C-S-C)), Council District (2); WSSC Grid (209NE02), Existing Lots/Blocks/Parcels (P. 76), Dev. Review District (N/A); Planning Area (65), In Municipal Boundary (No), Is development exempt from grading permit (Y/N)

(2002) General Plan Tier:  Developed  Developing  Rural Area of proposed LOD: 4,400 square feet

Proposed Use of Property and Request of Proposal: Existing shopping center with 29,090 sq. ft. Applicant seeks DPLS and DDS to reconfigure parking lot after taking by SHA for Purple Line construction.
Please list and provide copies of resolutions of previously approved applications affecting the subject property: NA

Applicant Name, Address & Phone: University Place Center LLC, 15942 Shady Grove Road, Gaithersburg, MD 20877, (301) 873-4002
Owner Name, Address & Phone: Same
Consultant Name, Address & Phone: Gibbs and Haller, 1300 Caraway Court, Suite 102, Largo, MD 20774, (301) 306-0033
Contact Name, Phone & E-mail: Thomas H. Haller, (301) 306-0033, thaller@gibbshaller.com

SIGNATURE (Sign where appropriate; include Application Form Disclosure for additional owner's signatures)

R. Begelman 9-6-23
Owner's Signature typed & signed Date
ROBERT BEGELMAN

R. Begelman 9-6-23
Applicant's Signature typed & signed Date
ROBERT BEGELMAN

Contract Purchaser's Signature typed & signed Date

Applicant's Signature typed & signed Date

**SUBDIVISION CASES – PRELIMINARY PLAN/CONSERVATION SKETCH PLAN:**

**Type of Application (Check all that apply)**

Conventional  Comprehensive Design  Conservation Sketch Plan  Pre-Preliminary Plan

Variation, Variance or Alternative Compliance Request(s)

Yes  No

Applicable Zoning/Subdivision Regulation Section(s):

Total Number of Proposed:

Lots \_\_\_\_\_ Outlots \_\_\_\_\_ Parcels \_\_\_\_\_ Outparcels \_\_\_\_\_

Number of Dwelling Units:

Attached \_\_\_\_\_ Detached \_\_\_\_\_ Multifamily \_\_\_\_\_

Gross Floor Area (Nonresidential portion only):

**SUBDIVISION CASES – FINAL PLAT:**

Water/Sewer: DER  Health Dept.

Number of Plats:

CSP/DSP/SDP No.:

WSSC Authorization No.:

Preliminary Plan No.:

Approval Date of Preliminary Plan:

**URBAN DESIGN AND ZONING CASES:**

Details of Request:

The subject property contains an existing shopping center with 29,090 square feet. The frontage of the property along University Boulevard was taken for construction of the Purple Line. The Applicant proposes to reconfigure the parking spaces, using 9' X 18' spaces instead of 9.5' X 18' spaces.

Zoning Ordinance Section(s):

Section 27-558 and 27-239.01

Total Number of Proposed:

Lots \_\_\_\_\_ Outlots \_\_\_\_\_ Parcels \_\_\_\_\_ Outparcels \_\_\_\_\_

Number of Dwelling Units:

Attached \_\_\_\_\_ Detached \_\_\_\_\_ Multifamily \_\_\_\_\_

Gross Floor Area (Nonresidential portion only):

Variance Request

Yes  No

Applicable Zoning/Subdivision Regulation Section(s):

Departure Request

Yes  No

Application Filed

Yes  No

Alternative Compliance Request

Yes  No

Application Filed

Yes  No

## APPLICATION FORM

**DO NOT WRITE IN THIS SPACE**

Application No.(s): \_\_\_\_\_ Planning Board Review  Planning Director Review   
 Acceptance Date: \_\_\_\_\_ 70-day limit: \_\_\_\_\_ Limit waived-New limit: \_\_\_\_\_  
 Posting Waived  Posting Date: \_\_\_\_\_ No. of Signs Posted: \_\_\_\_\_ Agenda Date: \_\_\_\_\_  
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APPLICATION TYPE: DPLS  Revision of Case # \_\_\_\_\_ Companion Cases: DDS-22005  
 Payment option:  Check (payable to M-NCPPC)  Credit Card General Plan Growth Policy:

**PROJECT NAME:** University Place Shopping Center  
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 Geographic Location (distance related to or near major intersection) Police District #: |  
 Northeast quadrant of the intersection of University Boulevard and 15th Avenue

Total Acreage: 2.0528	Aviation Policy Area: N/A	Election District: 17
Tax Map/Grid: 32/C3	Current Zone(s): LTO-c (C-S-C)	Council District: 2
WSSC Grid: 209NE02	Existing Lots/Blocks/Parcels: P. 76	Dev. Review District: N/A
Planning Area: 65	In Municipal Boundary: <b>No</b>	Is development exempt from grading permit pursuant to 32-127(a)(6)(A): <input type="checkbox"/> Y <input checked="" type="checkbox"/> N

(2002) General Plan Tier:  Developed  Developing  Rural Area of proposed LOD: 4,400 sf

<p><b>Proposed Use of Property and Request of Proposal:</b>                  Existing shopping center with 29,090 sq. ft. Applicant seeks DPLS to reduce the required parking from 124 spaces to 107 spaces due to a taking of the property frontage for the construction of the Purple Line. A departure of 17 parking spaces is requested.</p>	<p><b>Please list and provide copies of resolutions of previously approved applications affecting the subject property:</b>                  NA</p>
--	---

<p><b>Applicant Name, Address &amp; Phone:</b>                  University Place Center LLC                  15942 Shady Grove Road                  Gaithersburg, MD 20877                  (301) 873-4002</p> <p><b>Owner Name, Address &amp; Phone:</b>                  (if same as applicant indicate same/corporation see Disclosure)                  Same</p>	<p><b>Consultant Name, Address &amp; Phone:</b>                  Gibbs and Haller                  1300 Caraway Court, Suite 102                  Largo, MD 20774                  (301) 306-0033</p> <p><b>Contact Name, Phone &amp; E-mail:</b>                  Thomas H. Haller                  (301) 306-0033                  thaller@gibbshaller.com</p>
---	--

**SIGNATURE** (Sign where appropriate; include Application Form Disclosure for additional owner's signatures)

R. Beigelman 9-6-23  
 Owner's Signature typed & signed Date  
**ROBERT BEGELMAN**

R. Beigelman 9-6-23  
 Applicant's Signature typed & signed Date  
**ROBERT BEGELMAN**

Contract Purchaser's Signature typed & signed \_\_\_\_\_ Date \_\_\_\_\_

Applicant's Signature typed & signed \_\_\_\_\_ Date \_\_\_\_\_

**SUBDIVISION CASES – PRELIMINARY PLAN/CONSERVATION SKETCH PLAN:**

**Type of Application (Check all that apply)**

Conventional       Comprehensive Design       Conservation Sketch Plan       Pre-Preliminary Plan

Variation, Variance or Alternative Compliance Request(s)  
 Yes       No

Applicable Zoning/Subdivision Regulation Section(s):

**Total Number of Proposed:**

Lots \_\_\_\_\_ Outlots \_\_\_\_\_ Parcels \_\_\_\_\_ Outparcels \_\_\_\_\_

**Number of Dwelling Units:**

Attached \_\_\_\_\_ Detached \_\_\_\_\_ Multifamily \_\_\_\_\_

**Gross Floor Area (Nonresidential portion only):**

**SUBDIVISION CASES – FINAL PLAT:**

Water/Sewer:      DER       Health Dept.

Number of Plats:

CSP/DSP/SDP No.:

WSSC Authorization No.:

Preliminary Plan No.:

Approval Date of Preliminary Plan:

**URBAN DESIGN AND ZONING CASES:**

**Details of Request:**

The subject property contains an existing shopping center with 29,090 square feet. The frontage of the property along University Boulevard was taken for construction of the Purple Line, reducing the number of available spaces. The Applicant proposes to reconfigure the parking. A total of 107 spaces is proposed, requiring a departure of 17 spaces.

**Zoning Ordinance Section(s):**

Section 27-568 and 27-239.01

**Total Number of Proposed:**

Lots \_\_\_\_\_ Outlots \_\_\_\_\_ Parcels \_\_\_\_\_ Outparcels \_\_\_\_\_

**Number of Dwelling Units:**

Attached \_\_\_\_\_ Detached \_\_\_\_\_ Multifamily \_\_\_\_\_

**Gross Floor Area (Nonresidential portion only):**

**29,090 square feet**

**Variance Request**

Yes       No

Applicable Zoning/Subdivision Regulation Section(s):

**Departure Request**

Yes       No

**Application Filed**

Yes       No

**Alternative Compliance Request**

Yes       No

**Application Filed**

Yes       No

STATE ETHICS COMMISSION  
45 CALVERT STREET, 3<sup>RD</sup> FLOOR  
ANNAPOLIS, MD 21401  
410-260-7770  
1-877-669-6085

This Form Is To Be Filed With:  
CLERK OF THE COUNTY COUNCIL  
COUNTY ADMINISTRATION BUILDING  
ROOM 2198  
UPPER MARLBORO, MD 20772  
301-952-3600

## **Business Entity' Affidavit**

(Form PG 2)

### General Information

The Prince George's County land use ethics law (General Provisions Article, §§ 5-833 to 5-839, Annotated Code of Maryland) ("Public Ethics Law") requires this affidavit to be filed where a business entity is deemed to be an applicant in an application filed with the District Council. This can occur, for example, when a business entity is a title owner or contract purchaser of land that is the subject of an application, a trustee having an interest in the land (except those described in a mortgage or deed of trust), or the holder of 5 percent or more interest in an entity having an interest in the land (provided that it has substantive involvement in the disposition of the land, or substantive activities pertaining specifically to land development in Prince George's County). Applicant can also include a business entity in which a 5 percent or greater interest is held by another applicant.

In completing this form, you should also review §§ 5-833 to 5-839 of the Public Ethics Law. These provisions include the affidavit requirement, define applicants and agents, set out District Council member disqualification requirements, and specify ex parte disclosure procedures. Please note that there may be situations where there is more than one applicant involved, requiring one or more submissions of this form (or Form PG 1 Individual Applicant Affidavit). You may direct questions about the affidavit or other requirements of the Law to the State Ethics Commission office by phone, at 410-260-7770, or in writing, at the above address. Copies of the Public Ethics Law may be obtained at the Commission's website <http://ethics.maryland.gov/public-ethics-law/>. Additionally, there is a Special Ethics Law Memo on the Prince George's County land use ethics law at <http://ethics.maryland.gov/download/local-gov/local-gov-forms/PG%20County%20Zoning%20Memo.pdf>, that contains additional filing information, including timing requirements.

If the applicant business entity is a corporation listed on a national stock exchange or regulated by the Securities Exchange Commission, then its officers, its directors, or its shareholders having a 5 percent or greater interest in the corporation are required to file an affidavit **only** if these persons have made a payment or have solicited a payment as outlined in the Public Ethics Law **and** if the corporation itself completes Part B of the affidavit. If required to file, these persons will file the Individual Applicant Affidavit, Form PG 1.

### Filing Deadline

You must file a signed original of this affidavit with the Clerk of the County Council no later than 30 days prior to the District Council's consideration of the application. You must file a supplemental affidavit as expeditiously as possible whenever a payment/contribution is made after the original affidavit was filed and prior to Council's consideration. Please note that under § 5-835(a) of the Public Ethics Law, payments/contributions during the pendency of an application are generally prohibited.

## **PART A. Business Entity Applicant**

### Identifying Information

Name of Applicant \_\_\_ University Place Center LLC \_\_\_ Case No. (where applicable) \_\_\_ DDS-22005; DPLS22007

Address of Applicant \_\_\_ 15942 Shady Grove Road, Gaithersburg, MD 20877 \_\_\_\_\_

Identity of the Property/ 1500 University Boulevard, Hyattsville, MD 20783

Subject of Application \_\_\_ Tax Map 32, Parcel 76 \_\_\_\_\_ Type of Application \_\_\_ DDS & DPLS \_\_\_\_\_  
(see § 5-833(d))

<sup>1</sup>Section 5-833 of the Public Ethics Law defines a business entity as a corporation, a general partnership, a joint venture, a limited liability company, a limited partnership or a sole proprietorship.

Applicant Payment/Contribution to Member Information (check or complete applicable blanks)

1. Was a payment/contribution made by the applicant to a treasurer or a continuing committee, either directly or through a political action committee (PAC), during the 36 months before the application was filed or during the pendency of the application? \_\_\_\_ Yes X No

If the answer to #1 above is yes, list below the name of the member or members and the date or dates of the payment/contribution:

<u>Name of Member</u>	<u>Date</u>
_____	_____
_____	_____
_____	_____

If the payment/contribution was through a PAC, identify the PAC and the date of the transfer to the treasurer or continuing committee:

_____	_____
_____	_____

Solicitation and other Payment/Contribution Information

2. Did the applicant solicit a person or business entity to make a payment/contribution to a member during the 36 months before the application filing or during the pendency of the application? \_\_\_\_ Yes X No

If the answer to #2 above is yes, and a contribution was made, list below the name of the member or members, the date or dates of the payment/contribution, and the name of the contributor:

<u>Name of Member</u>	<u>Date</u>	<u>Name of Contributor</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

**PART B. Directors, Officers and Stockholders (see § 5-838(b)) (For Corporations Only)**

**\*Note: For a corporation's application to be processed, this section must be completed in full (place a check at the beginning of each question to indicate the action has been completed).**

1. \_\_\_\_ All directors, officers, and stockholders with a 5 percent or greater interest have been notified of the disclosure requirement as provided in the Law and are identified as follows (list name and title – if the corporation has no directors, officers or stockholders with a 5 percent or greater interest, so state):  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
2. \_\_\_\_ Affidavits (Form PG 1 Individual Applicant Affidavit) from those individuals identified in question #1 above, who have made or solicited contributions and are therefore required to disclose, are either attached or on file with the Clerk of the County Council **OR** there are no individuals required to file affidavits.

I hereby make oath or affirmation that the contents of this affidavit are true and correct to the best of my knowledge, information and belief.

R. Beigelman

\_\_\_\_\_  
Signature (original to be filed with the Clerk)

\_\_\_\_\_  
Robert Beigelman

\_\_\_\_\_  
Printed Name of Signer

\_\_\_\_\_  
Member

\_\_\_\_\_  
Title of Signer (Authorized to sign for the business entity)

MEMBER-MANAGER

7-7-23

\_\_\_\_\_  
Date

STATE ETHICS COMMISSION  
45 CALVERT STREET, 3<sup>RD</sup> FLOOR  
ANNAPOLIS, MD 21401  
410-260-7770  
1-877-669-6085

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301-952-3600

## Individual Applicant Affidavit (Form PG 1)

### General Information

The Prince George's County land use ethics law (General Provisions Article, §§ 5-833 to 5-839, Annotated Code of Maryland) ("Public Ethics Law") requires applicants to file this affidavit with applications filed with the District Council. This form should be submitted only by an individual who is: (i) a title owner or contract purchaser of land that is the subject of an application; (ii) a trustee who holds an interest in land that is the subject of an application, excluding a trustee described in a mortgage or deed of trust; or (iii) a holder of at least a 5% interest in a business entity that has an interest in the land that is the subject of an application, provided the individual has substantive involvement in directing the affairs of the business entity regarding the disposition of the land, or is engaged in substantive activities specifically pertaining to land development in Prince George's County as a regular part of the business entity's business activities. **In short, this form should be used whenever an individual, rather than a business entity<sup>1</sup>, is required to file an affidavit as part of an application. All other applicants should file the Business Entity Applicant Affidavit (Form PG 2).**

In completing this form, you should also review §§ 5-833 to 5-839 of the Public Ethics Law. These provisions of the Public Ethics Law include the affidavit requirement, define applicants and agents, set out District Council member disqualification requirements, and specify ex parte disclosure procedures. Please note that a single application may result in the filing of one or more affidavits. For example, if the application involves a partnership, one or more partners may be required to file. As another example, if the applicant filer has a corporate interest attributable to him making the corporation also an applicant, then the corporation must file a Business Entity Applicant Affidavit. You may direct questions about the affidavit or other requirements of the Law to the State Ethics Commission office by phone, at 410-260-7770, or in writing, to the State Ethics Commission at the above address. Copies of the Public Ethics Law may be obtained at the Commission's website <http://ethics.maryland.gov/public-ethics-law/>. Additionally, there is a Special Ethics Law Memo on the Prince George's County land use ethics law at <http://ethics.maryland.gov/download/local-gov/local-gov-forms/PG%20County%20Zoning%20Memo.pdf> that contains additional filing information, including timing requirements.

### Filing Deadline

You must file a signed original of this affidavit with the Clerk of the County Council no later than 30 days prior to the District Council's consideration of the application. You should file a supplemental affidavit as expeditiously as possible whenever a payment/contribution is made after the filing of the original affidavit and prior to the Council's consideration. Please note that under §5-835(a) of the Public Ethics Law, payments/contributions during the pendency of an application are generally prohibited.

### Identifying Information

Name of Applicant Robert Begelman Case No. (where applicable) DDS-22005; DPLS-22007

Address of Applicant 15842 Shady Grove Road, Gaithersburg, MD 20877

Identity of the Property/ 1500 University Boulevard, Hyattsville, MD 20783

Subject of Application Tax Map 32, Parcel 76 Type of Application DDS and DPLS  
(see §5-833(d))

<sup>1</sup>Section 5-833 of the Public Ethics Law defines a business entity as a corporation, a general partnership, a joint venture, a limited liability company, a limited partnership or a sole proprietorship.

Applicant Payment/Contribution to Member Information (check or complete applicable blanks)

1. Was a payment/contribution made by the applicant to a treasurer or a continuing committee, either directly or through a political action committee (PAC), during the 36 months before the application filing or during the pendency of the application? \_\_\_\_ Yes X No

If the answer to #1 is yes, list below the name of the member or members and the date or dates of the payment/contribution:

<u>Name of Member</u>	<u>Date</u>
_____	_____
_____	_____
_____	_____
_____	_____

If the payment/contribution above was through a PAC, identify the PAC and the date of the transfer to the treasurer or continuing committee:

_____	_____
_____	_____

Solicitation and other Payment/Contribution Information

2. Did the applicant solicit a person or business entity to make a payment/contribution to a member during the 36 months before the application filing or during the pendency of the application? \_\_\_\_ Yes X No

If the answer to #2 above is yes, and a payment/contribution was made, list below the name of the member or members, the date or dates of the payment/contribution, and the name of the contributor:

<u>Name of Member</u>	<u>Date</u>	<u>Name of Contributor</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

3. Did a member of the applicant's household make a payment/contribution to a member during the 36 months before the application filing or during the pendency of the application? \_\_\_\_ Yes X No

If the answer to #3 above is yes, list below the name of the member or members, the date or dates of the payment/contribution, and the name of the household member who made the contribution/payment:

<u>Name of Member</u>	<u>Date</u>	<u>Name of Contributor</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

I hereby make oath or affirmation that the contents of this affidavit are true and correct to the best of my knowledge, information and belief.

R. Begelman  
Signature (original to be filed with the Clerk)

7-7-23  
Date

Robert Begelman  
Printed Name of Signer

\_\_\_\_\_  
Title of Signer (if applicable)

STATE ETHICS COMMISSION  
45 CALVERT STREET, 3<sup>RD</sup> FLOOR  
ANNAPOLIS, MD 21401  
410-260-7770  
1-877-669-6085

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CLERK OF THE COUNTY COUNCIL  
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ROOM 2198  
UPPER MARLBORO, MD 20772  
301-952-3600

## Individual Applicant Affidavit (Form PG 1)

### General Information

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In completing this form, you should also review §§ 5-833 to 5-839 of the Public Ethics Law. These provisions of the Public Ethics Law include the affidavit requirement, define applicants and agents, set out District Council member disqualification requirements, and specify ex parte disclosure procedures. Please note that a single application may result in the filing of one or more affidavits. For example, if the application involves a partnership, one or more partners may be required to file. As another example, if the applicant filer has a corporate interest attributable to him making the corporation also an applicant, then the corporation must file a Business Entity Applicant Affidavit. You may direct questions about the affidavit or other requirements of the Law to the State Ethics Commission office by phone, at 410-260-7770, or in writing, to the State Ethics Commission at the above address. Copies of the Public Ethics Law may be obtained at the Commission's website <http://ethics.maryland.gov/public-ethics-law/>. Additionally, there is a Special Ethics Law Memo on the Prince George's County land use ethics law at <http://ethics.maryland.gov/download/local-gov/local-gov-forms/PG%20County%20Zoning%20Memo.pdf> that contains additional filing information, including timing requirements.

### Filing Deadline

You must file a signed original of this affidavit with the Clerk of the County Council no later than 30 days prior to the District Council's consideration of the application. You should file a supplemental affidavit as expeditiously as possible whenever a payment/contribution is made after the filing of the original affidavit and prior to the Council's consideration. Please note that under §5-835(a) of the Public Ethics Law, payments/contributions during the pendency of an application are generally prohibited.

### Identifying Information

Name of Applicant Adam Schwartz Case No. (where applicable) DDS-22005; DPLS-22007

Address of Applicant 15842 Shady Grove Road, Gaithersburg, MD 20877

Identity of the Property/ 1500 University Boulevard, Hyattsville, MD 20783

Subject of Application Tax Map 32, Parcel 76 Type of Application DDS and DPLS  
(see §5-833(d))

<sup>1</sup>Section 5-833 of the Public Ethics Law defines a business entity as a corporation, a general partnership, a joint venture, a limited liability company, a limited partnership or a sole proprietorship.

Applicant Payment/Contribution to Member Information (check or complete applicable blanks)

1. Was a payment/contribution made by the applicant to a treasurer or a continuing committee, either directly or through a political action committee (PAC), during the 36 months before the application filing or during the pendency of the application? \_\_\_ Yes X No

If the answer to #1 is yes, list below the name of the member or members and the date or dates of the payment/contribution:

<u>Name of Member</u>	<u>Date</u>
_____	_____
_____	_____
_____	_____
_____	_____

If the payment/contribution above was through a PAC, identify the PAC and the date of the transfer to the treasurer or continuing committee:

_____	_____
_____	_____

Solicitation and other Payment/Contribution Information

2. Did the applicant solicit a person or business entity to make a payment/contribution to a member during the 36 months before the application filing or during the pendency of the application? \_\_\_ Yes X No

If the answer to #2 above is yes, and a payment/contribution was made, list below the name of the member or members, the date or dates of the payment/contribution, and the name of the contributor:

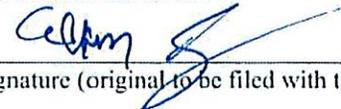
<u>Name of Member</u>	<u>Date</u>	<u>Name of Contributor</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

3. Did a member of the applicant's household make a payment/contribution to a member during the 36 months before the application filing or during the pendency of the application? \_\_\_ Yes X No

If the answer to #3 above is yes, list below the name of the member or members, the date or dates of the payment/contribution, and the name of the household member who made the contribution/payment:

<u>Name of Member</u>	<u>Date</u>	<u>Name of Contributor</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

I hereby make oath or affirmation that the contents of this affidavit are true and correct to the best of my knowledge, information and belief.

A   
Signature (original to be filed with the Clerk)

7-7-23  
Date

Adam Schwartz  
Printed Name of Signer

\_\_\_\_\_  
Title of Signer (if applicable)

STATE ETHICS COMMISSION  
45 CALVERT STREET, 3<sup>RD</sup> FLOOR  
ANNAPOLIS, MD 21401  
410-260-7770  
1-877-669-6085

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UPPER MARLBORO, MD 20772  
301-952-3600

## Individual Applicant Affidavit (Form PG 1)

### General Information

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### Filing Deadline

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### Identifying Information

Name of Applicant John Smith Case No. (where applicable) DDS-22005; DPLS-22007

Address of Applicant 15842 Shady Grove Road, Gaithersburg, MD 20877

Identity of the Property/ 1500 University Boulevard, Hyattsville, MD 20783

Subject of Application Tax Map 32, Parcel 76 Type of Application DDS and DPLS  
(see §5-833(d))

<sup>1</sup>Section 5-833 of the Public Ethics Law defines a business entity as a corporation, a general partnership, a joint venture, a limited liability company, a limited partnership or a sole proprietorship.

Applicant Payment/Contribution to Member Information (check or complete applicable blanks)

1. Was a payment/contribution made by the applicant to a treasurer or a continuing committee, either directly or through a political action committee (PAC), during the 36 months before the application filing or during the pendency of the application? \_\_\_\_ Yes  X  No

If the answer to #1 is yes, list below the name of the member or members and the date or dates of the payment/contribution:

<u>Name of Member</u>	<u>Date</u>
_____	_____
_____	_____
_____	_____
_____	_____

If the payment/contribution above was through a PAC, identify the PAC and the date of the transfer to the treasurer or continuing committee:

_____	_____
_____	_____

Solicitation and other Payment/Contribution Information

2. Did the applicant solicit a person or business entity to make a payment/contribution to a member during the 36 months before the application filing or during the pendency of the application? \_\_\_\_ Yes  X  No

If the answer to #2 above is yes, and a payment/contribution was made, list below the name of the member or members, the date or dates of the payment/contribution, and the name of the contributor:

<u>Name of Member</u>	<u>Date</u>	<u>Name of Contributor</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

3. Did a member of the applicant's household make a payment/contribution to a member during the 36 months before the application filing or during the pendency of the application? \_\_\_\_ Yes  X  No

If the answer to #3 above is yes, list below the name of the member or members, the date or dates of the payment/contribution, and the name of the household member who made the contribution/payment:

<u>Name of Member</u>	<u>Date</u>	<u>Name of Contributor</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

I hereby make oath or affirmation that the contents of this affidavit are true and correct to the best of my knowledge, information and belief.

*A*

John Smith  
Signature (original to be filed with the Clerk)

7-7-23  
Date

John Smith  
Printed Name of Signer

\_\_\_\_\_  
Title of Signer (if applicable)

STATE ETHICS COMMISSION  
45 CALVERT STREET, 3<sup>RD</sup> FLOOR  
ANNAPOLIS, MD 21401  
410-260-7770  
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301-952-3600

## Individual Applicant Affidavit (Form PG 1)

### General Information

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In completing this form, you should also review §§ 5-833 to 5-839 of the Public Ethics Law. These provisions of the Public Ethics Law include the affidavit requirement, define applicants and agents, set out District Council member disqualification requirements, and specify ex parte disclosure procedures. Please note that a single application may result in the filing of one or more affidavits. For example, if the application involves a partnership, one or more partners may be required to file. As another example, if the applicant filer has a corporate interest attributable to him making the corporation also an applicant, then the corporation must file a Business Entity Applicant Affidavit. You may direct questions about the affidavit or other requirements of the Law to the State Ethics Commission office by phone, at 410-260-7770, or in writing, to the State Ethics Commission at the above address. Copies of the Public Ethics Law may be obtained at the Commission's website <http://ethics.maryland.gov/public-ethics-law/>. Additionally, there is a Special Ethics Law Memo on the Prince George's County land use ethics law at <http://ethics.maryland.gov/download/local-gov/local-gov-forms/PG%20County%20Zoning%20Memo.pdf> that contains additional filing information, including timing requirements.

### Filing Deadline

You must file a signed original of this affidavit with the Clerk of the County Council no later than 30 days prior to the District Council's consideration of the application. You should file a supplemental affidavit as expeditiously as possible whenever a payment/contribution is made after the filing of the original affidavit and prior to the Council's consideration. Please note that under §5-835(a) of the Public Ethics Law, payments/contributions during the pendency of an application are generally prohibited.

### Identifying Information

Name of Applicant David Terzian Case No. (where applicable) DDS-22005; DPLS-22007

Address of Applicant 15842 Shady Grove Road, Gaithersburg, MD 20877

Identity of the Property/ 1500 University Boulevard, Hyattsville, MD 20783

Subject of Application Tax Map 32, Parcel 76 Type of Application DDS and DPLS  
(see §5-833(d))

<sup>1</sup>Section 5-833 of the Public Ethics Law defines a business entity as a corporation, a general partnership, a joint venture, a limited liability company, a limited partnership or a sole proprietorship.

Applicant Payment/Contribution to Member Information (check or complete applicable blanks)

1. Was a payment/contribution made by the applicant to a treasurer or a continuing committee, either directly or through a political action committee (PAC), during the 36 months before the application filing or during the pendency of the application? \_\_\_\_ Yes X No

If the answer to #1 is yes, list below the name of the member or members and the date or dates of the payment/contribution:

<u>Name of Member</u>	<u>Date</u>
_____	_____
_____	_____
_____	_____
_____	_____

If the payment/contribution above was through a PAC, identify the PAC and the date of the transfer to the treasurer or continuing committee:

_____	_____
_____	_____

Solicitation and other Payment/Contribution Information

2. Did the applicant solicit a person or business entity to make a payment/contribution to a member during the 36 months before the application filing or during the pendency of the application? \_\_\_\_ Yes X No

If the answer to #2 above is yes, and a payment/contribution was made, list below the name of the member or members, the date or dates of the payment/contribution, and the name of the contributor:

<u>Name of Member</u>	<u>Date</u>	<u>Name of Contributor</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

3. Did a member of the applicant's household make a payment/contribution to a member during the 36 months before the application filing or during the pendency of the application? \_\_\_\_ Yes X No

If the answer to #3 above is yes, list below the name of the member or members, the date or dates of the payment/contribution, and the name of the household member who made the contribution/payment:

<u>Name of Member</u>	<u>Date</u>	<u>Name of Contributor</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

I hereby make oath or affirmation that the contents of this affidavit are true and correct to the best of my knowledge, information and belief.

 \_\_\_\_\_

Signature (original to be filed with the Clerk)

 \_\_\_\_\_

Date

David Terzian  
Printed Name of Signer

\_\_\_\_\_  
Title of Signer (if applicable)

STATE ETHICS COMMISSION  
45 CALVERT STREET, 3<sup>RD</sup> FLOOR  
ANNAPOLIS, MD 21401  
410-260-7770  
1-877-669-6085

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ROOM 2198  
UPPER MARLBORO, MD 20772  
301-952-3600

## **Business Entity' Affidavit**

(Form PG 2)

### General Information

The Prince George's County land use ethics law (General Provisions Article, §§ 5-833 to 5-839, Annotated Code of Maryland) ("Public Ethics Law") requires this affidavit to be filed where a business entity is deemed to be an applicant in an application filed with the District Council. This can occur, for example, when a business entity is a title owner or contract purchaser of land that is the subject of an application, a trustee having an interest in the land (except those described in a mortgage or deed of trust), or the holder of 5 percent or more interest in an entity having an interest in the land (provided that it has substantive involvement in the disposition of the land, or substantive activities pertaining specifically to land development in Prince George's County). Applicant can also include a business entity in which a 5 percent or greater interest is held by another applicant.

In completing this form, you should also review §§ 5-833 to 5-839 of the Public Ethics Law. These provisions include the affidavit requirement, define applicants and agents, set out District Council member disqualification requirements, and specify ex parte disclosure procedures. Please note that there may be situations where there is more than one applicant involved, requiring one or more submissions of this form (or Form PG 1 Individual Applicant Affidavit). You may direct questions about the affidavit or other requirements of the Law to the State Ethics Commission office by phone, at 410-260-7770, or in writing, at the above address. Copies of the Public Ethics Law may be obtained at the Commission's website <http://ethics.maryland.gov/public-ethics-law/>. Additionally, there is a Special Ethics Law Memo on the Prince George's County land use ethics law at <http://ethics.maryland.gov/download/local-gov/local-gov-forms/PG%20County%20Zoning%20Memo.pdf>, that contains additional filing information, including timing requirements.

If the applicant business entity is a corporation listed on a national stock exchange or regulated by the Securities Exchange Commission, then its officers, its directors, or its shareholders having a 5 percent or greater interest in the corporation are required to file an affidavit **only** if these persons have made a payment or have solicited a payment as outlined in the Public Ethics Law **and** if the corporation itself completes Part B of the affidavit. If required to file, these persons will file the Individual Applicant Affidavit, Form PG 1.

### Filing Deadline

You must file a signed original of this affidavit with the Clerk of the County Council no later than 30 days prior to the District Council's consideration of the application. You must file a supplemental affidavit as expeditiously as possible whenever a payment/contribution is made after the original affidavit was filed and prior to Council's consideration. Please note that under § 5-835(a) of the Public Ethics Law, payments/contributions during the pendency of an application are generally prohibited.

## **PART A. Business Entity Applicant**

### Identifying Information

Name of Applicant \_\_\_ University Place Center LLC \_\_\_ Case No. (where applicable) \_\_\_ DDS-22005; DPLS22007

Address of Applicant \_\_\_ 15942 Shady Grove Road, Gaithersburg, MD 20877 \_\_\_\_\_

Identity of the Property/ 1500 University Boulevard, Hyattsville, MD 20783

Subject of Application \_\_\_ Tax Map 32, Parcel 76 \_\_\_\_\_ Type of Application \_\_\_ DDS & DPLS \_\_\_\_\_  
(see § 5-833(d))

<sup>1</sup>Section 5-833 of the Public Ethics Law defines a business entity as a corporation, a general partnership, a joint venture, a limited liability company, a limited partnership or a sole proprietorship.

Applicant Payment/Contribution to Member Information (check or complete applicable blanks)

1. Was a payment/contribution made by the applicant to a treasurer or a continuing committee, either directly or through a political action committee (PAC), during the 36 months before the application was filed or during the pendency of the application?  Yes  No

If the answer to #1 above is yes, list below the name of the member or members and the date or dates of the payment/contribution:

<u>Name of Member</u>	<u>Date</u>
_____	_____
_____	_____
_____	_____

If the payment/contribution was through a PAC, identify the PAC and the date of the transfer to the treasurer or continuing committee:

_____	_____
_____	_____

Solicitation and other Payment/Contribution Information

2. Did the applicant solicit a person or business entity to make a payment/contribution to a member during the 36 months before the application filing or during the pendency of the application?  Yes  No

If the answer to #2 above is yes, and a contribution was made, list below the name of the member or members, the date or dates of the payment/contribution, and the name of the contributor:

<u>Name of Member</u>	<u>Date</u>	<u>Name of Contributor</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

**PART B. Directors, Officers and Stockholders (see § 5-838(b)) (For Corporations Only)**

**\*Note: For a corporation's application to be processed, this section must be completed in full (place a check at the beginning of each question to indicate the action has been completed).**

1.  All directors, officers, and stockholders with a 5 percent or greater interest have been notified of the disclosure requirement as provided in the Law and are identified as follows (list name and title – if the corporation has no directors, officers or stockholders with a 5 percent or greater interest, so state):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2.  Affidavits (Form PG 1 Individual Applicant Affidavit) from those individuals identified in question #1 above, who have made or solicited contributions and are therefore required to disclose, are either attached or on file with the Clerk of the County Council **OR** there are no individuals required to file affidavits.

I hereby make oath or affirmation that the contents of this affidavit are true and correct to the best of my knowledge, information and belief.

R. Beigelman  
\_\_\_\_\_  
Signature (original to be filed with the Clerk)  
Robert Beigelman \_\_\_\_\_  
Printed Name of Signer  
Member \_\_\_\_\_  
Title of Signer (Authorized to sign for the business entity)  
MEMBER - MANAGER

7-7-23  
\_\_\_\_\_  
Date

STATE ETHICS COMMISSION  
45 CALVERT STREET, 3<sup>RD</sup> FLOOR  
ANNAPOLIS, MD 21401  
410-260-7770  
1-877-669-6085

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COUNTY ADMINISTRATION BUILDING  
ROOM 2198  
UPPER MARLBORO, MD 20772  
301-952-3600

## Individual Applicant Affidavit (Form PG 1)

### General Information

The Prince George's County land use ethics law (General Provisions Article, §§ 5-833 to 5-839, Annotated Code of Maryland) ("Public Ethics Law") requires applicants to file this affidavit with applications filed with the District Council. This form should be submitted only by an individual who is: (i) a title owner or contract purchaser of land that is the subject of an application; (ii) a trustee who holds an interest in land that is the subject of an application, excluding a trustee described in a mortgage or deed of trust; or (iii) a holder of at least a 5% interest in a business entity that has an interest in the land that is the subject of an application, provided the individual has substantive involvement in directing the affairs of the business entity regarding the disposition of the land, or is engaged in substantive activities specifically pertaining to land development in Prince George's County as a regular part of the business entity's business activities. **In short, this form should be used whenever an individual, rather than a business entity<sup>1</sup>, is required to file an affidavit as part of an application. All other applicants should file the Business Entity Applicant Affidavit (Form PG 2).**

In completing this form, you should also review §§ 5-833 to 5-839 of the Public Ethics Law. These provisions of the Public Ethics Law include the affidavit requirement, define applicants and agents, set out District Council member disqualification requirements, and specify ex parte disclosure procedures. Please note that a single application may result in the filing of one or more affidavits. For example, if the application involves a partnership, one or more partners may be required to file. As another example, if the applicant filer has a corporate interest attributable to him making the corporation also an applicant, then the corporation must file a Business Entity Applicant Affidavit. You may direct questions about the affidavit or other requirements of the Law to the State Ethics Commission office by phone, at 410-260-7770, or in writing, to the State Ethics Commission at the above address. Copies of the Public Ethics Law may be obtained at the Commission's website <http://ethics.maryland.gov/public-ethics-law/>. Additionally, there is a Special Ethics Law Memo on the Prince George's County land use ethics law at <http://ethics.maryland.gov/download/local-gov/local-gov-forms/PG%20County%20Zoning%20Memo.pdf> that contains additional filing information, including timing requirements.

### Filing Deadline

You must file a signed original of this affidavit with the Clerk of the County Council no later than 30 days prior to the District Council's consideration of the application. You should file a supplemental affidavit as expeditiously as possible whenever a payment/contribution is made after the filing of the original affidavit and prior to the Council's consideration. Please note that under §5-835(a) of the Public Ethics Law, payments/contributions during the pendency of an application are generally prohibited.

### Identifying Information

Name of Applicant Robert Begelman Case No. (where applicable) DDS-22005; DPLS-22007

Address of Applicant 15842 Shady Grove Road, Gaithersburg, MD 20877

Identity of the Property/ 1500 University Boulevard, Hyattsville, MD 20783

Subject of Application Tax Map 32, Parcel 76 Type of Application DDS and DPLS  
(see §5-833(d))

<sup>1</sup>Section 5-833 of the Public Ethics Law defines a business entity as a corporation, a general partnership, a joint venture, a limited liability company, a limited partnership or a sole proprietorship.

Applicant Payment/Contribution to Member Information (check or complete applicable blanks)

1. Was a payment/contribution made by the applicant to a treasurer or a continuing committee, either directly or through a political action committee (PAC), during the 36 months before the application filing or during the pendency of the application? \_\_\_\_ Yes X No

If the answer to #1 is yes, list below the name of the member or members and the date or dates of the payment/contribution:

<u>Name of Member</u>	<u>Date</u>
_____	_____
_____	_____
_____	_____
_____	_____

If the payment/contribution above was through a PAC, identify the PAC and the date of the transfer to the treasurer or continuing committee:

_____	_____
_____	_____

Solicitation and other Payment/Contribution Information

2. Did the applicant solicit a person or business entity to make a payment/contribution to a member during the 36 months before the application filing or during the pendency of the application? \_\_\_\_ Yes X No

If the answer to #2 above is yes, and a payment/contribution was made, list below the name of the member or members, the date or dates of the payment/contribution, and the name of the contributor:

<u>Name of Member</u>	<u>Date</u>	<u>Name of Contributor</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

3. Did a member of the applicant's household make a payment/contribution to a member during the 36 months before the application filing or during the pendency of the application? \_\_\_\_ Yes X No

If the answer to #3 above is yes, list below the name of the member or members, the date or dates of the payment/contribution, and the name of the household member who made the contribution/payment:

<u>Name of Member</u>	<u>Date</u>	<u>Name of Contributor</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

I hereby make oath or affirmation that the contents of this affidavit are true and correct to the best of my knowledge, information and belief.

R. Begelman  
Signature (original to be filed with the Clerk)

7-7-23  
Date

Robert Begelman  
Printed Name of Signer

\_\_\_\_\_  
Title of Signer (if applicable)

STATE ETHICS COMMISSION  
45 CALVERT STREET, 3<sup>RD</sup> FLOOR  
ANNAPOLIS, MD 21401  
410-260-7770  
1-877-669-6085

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COUNTY ADMINISTRATION BUILDING  
ROOM 2198  
UPPER MARLBORO, MD 20772  
301-952-3600

## Individual Applicant Affidavit (Form PG 1)

### General Information

The Prince George's County land use ethics law (General Provisions Article, §§ 5-833 to 5-839, Annotated Code of Maryland) ("Public Ethics Law") requires applicants to file this affidavit with applications filed with the District Council. This form should be submitted only by an individual who is: (i) a title owner or contract purchaser of land that is the subject of an application; (ii) a trustee who holds an interest in land that is the subject of an application, excluding a trustee described in a mortgage or deed of trust; or (iii) a holder of at least a 5% interest in a business entity that has an interest in the land that is the subject of an application, provided the individual has substantive involvement in directing the affairs of the business entity regarding the disposition of the land, or is engaged in substantive activities specifically pertaining to land development in Prince George's County as a regular part of the business entity's business activities. **In short, this form should be used whenever an individual, rather than a business entity<sup>1</sup>, is required to file an affidavit as part of an application. All other applicants should file the Business Entity Applicant Affidavit (Form PG 2).**

In completing this form, you should also review §§ 5-833 to 5-839 of the Public Ethics Law. These provisions of the Public Ethics Law include the affidavit requirement, define applicants and agents, set out District Council member disqualification requirements, and specify ex parte disclosure procedures. Please note that a single application may result in the filing of one or more affidavits. For example, if the application involves a partnership, one or more partners may be required to file. As another example, if the applicant filer has a corporate interest attributable to him making the corporation also an applicant, then the corporation must file a Business Entity Applicant Affidavit. You may direct questions about the affidavit or other requirements of the Law to the State Ethics Commission office by phone, at 410-260-7770, or in writing, to the State Ethics Commission at the above address. Copies of the Public Ethics Law may be obtained at the Commission's website <http://ethics.maryland.gov/public-ethics-law/>. Additionally, there is a Special Ethics Law Memo on the Prince George's County land use ethics law at <http://ethics.maryland.gov/download/local-gov/local-gov-forms/PG%20County%20Zoning%20Memo.pdf> that contains additional filing information, including timing requirements.

### Filing Deadline

You must file a signed original of this affidavit with the Clerk of the County Council no later than 30 days prior to the District Council's consideration of the application. You should file a supplemental affidavit as expeditiously as possible whenever a payment/contribution is made after the filing of the original affidavit and prior to the Council's consideration. Please note that under §5-835(a) of the Public Ethics Law, payments/contributions during the pendency of an application are generally prohibited.

### Identifying Information

Name of Applicant Adam Schwartz Case No. (where applicable) DDS-22005; DPLS-22007

Address of Applicant 15842 Shady Grove Road, Gaithersburg, MD 20877

Identity of the Property/ 1500 University Boulevard, Hyattsville, MD 20783

Subject of Application Tax Map 32, Parcel 76 Type of Application DDS and DPLS  
(see §5-833(d))

<sup>1</sup>Section 5-833 of the Public Ethics Law defines a business entity as a corporation, a general partnership, a joint venture, a limited liability company, a limited partnership or a sole proprietorship.

Applicant Payment/Contribution to Member Information (check or complete applicable blanks)

1. Was a payment/contribution made by the applicant to a treasurer or a continuing committee, either directly or through a political action committee (PAC), during the 36 months before the application filing or during the pendency of the application? \_\_\_ Yes X No

If the answer to #1 is yes, list below the name of the member or members and the date or dates of the payment/contribution:

<u>Name of Member</u>	<u>Date</u>
_____	_____
_____	_____
_____	_____
_____	_____

If the payment/contribution above was through a PAC, identify the PAC and the date of the transfer to the treasurer or continuing committee:

_____	_____
_____	_____

Solicitation and other Payment/Contribution Information

2. Did the applicant solicit a person or business entity to make a payment/contribution to a member during the 36 months before the application filing or during the pendency of the application? \_\_\_ Yes X No

If the answer to #2 above is yes, and a payment/contribution was made, list below the name of the member or members, the date or dates of the payment/contribution, and the name of the contributor:

<u>Name of Member</u>	<u>Date</u>	<u>Name of Contributor</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

3. Did a member of the applicant's household make a payment/contribution to a member during the 36 months before the application filing or during the pendency of the application? \_\_\_ Yes X No

If the answer to #3 above is yes, list below the name of the member or members, the date or dates of the payment/contribution, and the name of the household member who made the contribution/payment:

<u>Name of Member</u>	<u>Date</u>	<u>Name of Contributor</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

I hereby make oath or affirmation that the contents of this affidavit are true and correct to the best of my knowledge, information and belief.

*A*

Adam Schwartz  
Signature (original to be filed with the Clerk)

7-7-23  
Date

Adam Schwartz  
Printed Name of Signer

\_\_\_\_\_  
Title of Signer (if applicable)

STATE ETHICS COMMISSION  
45 CALVERT STREET, 3<sup>RD</sup> FLOOR  
ANNAPOLIS, MD 21401  
410-260-7770  
1-877-669-6085

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COUNTY ADMINISTRATION BUILDING  
ROOM 2198  
UPPER MARLBORO, MD 20772  
301-952-3600

## Individual Applicant Affidavit (Form PG 1)

### General Information

The Prince George's County land use ethics law (General Provisions Article, §§ 5-833 to 5-839, Annotated Code of Maryland) ("Public Ethics Law") requires applicants to file this affidavit with applications filed with the District Council. This form should be submitted only by an individual who is: (i) a title owner or contract purchaser of land that is the subject of an application; (ii) a trustee who holds an interest in land that is the subject of an application, excluding a trustee described in a mortgage or deed of trust; or (iii) a holder of at least a 5% interest in a business entity that has an interest in the land that is the subject of an application, provided the individual has substantive involvement in directing the affairs of the business entity regarding the disposition of the land, or is engaged in substantive activities specifically pertaining to land development in Prince George's County as a regular part of the business entity's business activities. **In short, this form should be used whenever an individual, rather than a business entity<sup>1</sup>, is required to file an affidavit as part of an application. All other applicants should file the Business Entity Applicant Affidavit (Form PG 2).**

In completing this form, you should also review §§ 5-833 to 5-839 of the Public Ethics Law. These provisions of the Public Ethics Law include the affidavit requirement, define applicants and agents, set out District Council member disqualification requirements, and specify ex parte disclosure procedures. Please note that a single application may result in the filing of one or more affidavits. For example, if the application involves a partnership, one or more partners may be required to file. As another example, if the applicant filer has a corporate interest attributable to him making the corporation also an applicant, then the corporation must file a Business Entity Applicant Affidavit. You may direct questions about the affidavit or other requirements of the Law to the State Ethics Commission office by phone, at 410-260-7770, or in writing, to the State Ethics Commission at the above address. Copies of the Public Ethics Law may be obtained at the Commission's website <http://ethics.maryland.gov/public-ethics-law/>. Additionally, there is a Special Ethics Law Memo on the Prince George's County land use ethics law at <http://ethics.maryland.gov/download/local-gov/local-gov-forms/PG%20County%20Zoning%20Memo.pdf> that contains additional filing information, including timing requirements.

### Filing Deadline

You must file a signed original of this affidavit with the Clerk of the County Council no later than 30 days prior to the District Council's consideration of the application. You should file a supplemental affidavit as expeditiously as possible whenever a payment/contribution is made after the filing of the original affidavit and prior to the Council's consideration. Please note that under §5-835(a) of the Public Ethics Law, payments/contributions during the pendency of an application are generally prohibited.

### Identifying Information

Name of Applicant John Smith Case No. (where applicable) DDS-22005; DPLS-22007

Address of Applicant 15842 Shady Grove Road, Gaithersburg, MD 20877

Identity of the Property/ 1500 University Boulevard, Hyattsville, MD 20783

Subject of Application Tax Map 32, Parcel 76 Type of Application DDS and DPLS  
(see §5-833(d))

<sup>1</sup>Section 5-833 of the Public Ethics Law defines a business entity as a corporation, a general partnership, a joint venture, a limited liability company, a limited partnership or a sole proprietorship.

Applicant Payment/Contribution to Member Information (check or complete applicable blanks)

1. Was a payment/contribution made by the applicant to a treasurer or a continuing committee, either directly or through a political action committee (PAC), during the 36 months before the application filing or during the pendency of the application? \_\_\_\_ Yes X No

If the answer to #1 is yes, list below the name of the member or members and the date or dates of the payment/contribution:

<u>Name of Member</u>	<u>Date</u>
_____	_____
_____	_____
_____	_____
_____	_____

If the payment/contribution above was through a PAC, identify the PAC and the date of the transfer to the treasurer or continuing committee:

_____	_____
_____	_____

Solicitation and other Payment/Contribution Information

2. Did the applicant solicit a person or business entity to make a payment/contribution to a member during the 36 months before the application filing or during the pendency of the application? \_\_\_\_ Yes X No

If the answer to #2 above is yes, and a payment/contribution was made, list below the name of the member or members, the date or dates of the payment/contribution, and the name of the contributor:

<u>Name of Member</u>	<u>Date</u>	<u>Name of Contributor</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

3. Did a member of the applicant's household make a payment/contribution to a member during the 36 months before the application filing or during the pendency of the application? \_\_\_\_ Yes X No

If the answer to #3 above is yes, list below the name of the member or members, the date or dates of the payment/contribution, and the name of the household member who made the contribution/payment:

<u>Name of Member</u>	<u>Date</u>	<u>Name of Contributor</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

I hereby make oath or affirmation that the contents of this affidavit are true and correct to the best of my knowledge, information and belief.

*A*

John Smith  
Signature (original to be filed with the Clerk)

7-7-23  
Date

John Smith  
Printed Name of Signer

\_\_\_\_\_  
Title of Signer (if applicable)

STATE ETHICS COMMISSION  
45 CALVERT STREET, 3<sup>RD</sup> FLOOR  
ANNAPOLIS, MD 21401  
410-260-7770  
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UPPER MARLBORO, MD 20772  
301-952-3600

## Individual Applicant Affidavit (Form PG 1)

### General Information

The Prince George's County land use ethics law (General Provisions Article, §§ 5-833 to 5-839, Annotated Code of Maryland) ("Public Ethics Law") requires applicants to file this affidavit with applications filed with the District Council. This form should be submitted only by an individual who is: (i) a title owner or contract purchaser of land that is the subject of an application; (ii) a trustee who holds an interest in land that is the subject of an application, excluding a trustee described in a mortgage or deed of trust; or (iii) a holder of at least a 5% interest in a business entity that has an interest in the land that is the subject of an application, provided the individual has substantive involvement in directing the affairs of the business entity regarding the disposition of the land, or is engaged in substantive activities specifically pertaining to land development in Prince George's County as a regular part of the business entity's business activities. **In short, this form should be used whenever an individual, rather than a business entity<sup>1</sup>, is required to file an affidavit as part of an application. All other applicants should file the Business Entity Applicant Affidavit (Form PG 2).**

In completing this form, you should also review §§ 5-833 to 5-839 of the Public Ethics Law. These provisions of the Public Ethics Law include the affidavit requirement, define applicants and agents, set out District Council member disqualification requirements, and specify ex parte disclosure procedures. Please note that a single application may result in the filing of one or more affidavits. For example, if the application involves a partnership, one or more partners may be required to file. As another example, if the applicant filer has a corporate interest attributable to him making the corporation also an applicant, then the corporation must file a Business Entity Applicant Affidavit. You may direct questions about the affidavit or other requirements of the Law to the State Ethics Commission office by phone, at 410-260-7770, or in writing, to the State Ethics Commission at the above address. Copies of the Public Ethics Law may be obtained at the Commission's website <http://ethics.maryland.gov/public-ethics-law/>. Additionally, there is a Special Ethics Law Memo on the Prince George's County land use ethics law at <http://ethics.maryland.gov/download/local-gov/local-gov-forms/PG%20County%20Zoning%20Memo.pdf> that contains additional filing information, including timing requirements.

### Filing Deadline

You must file a signed original of this affidavit with the Clerk of the County Council no later than 30 days prior to the District Council's consideration of the application. You should file a supplemental affidavit as expeditiously as possible whenever a payment/contribution is made after the filing of the original affidavit and prior to the Council's consideration. Please note that under §5-835(a) of the Public Ethics Law, payments/contributions during the pendency of an application are generally prohibited.

### Identifying Information

Name of Applicant David Terzian Case No. (where applicable) DDS-22005; DPLS-22007

Address of Applicant 15842 Shady Grove Road, Gaithersburg, MD 20877

Identity of the Property/ 1500 University Boulevard, Hyattsville, MD 20783

Subject of Application Tax Map 32, Parcel 76 Type of Application DDS and DPLS  
(see §5-833(d))

<sup>1</sup>Section 5-833 of the Public Ethics Law defines a business entity as a corporation, a general partnership, a joint venture, a limited liability company, a limited partnership or a sole proprietorship.

Applicant Payment/Contribution to Member Information (check or complete applicable blanks)

1. Was a payment/contribution made by the applicant to a treasurer or a continuing committee, either directly or through a political action committee (PAC), during the 36 months before the application filing or during the pendency of the application? \_\_\_\_ Yes X No

If the answer to #1 is yes, list below the name of the member or members and the date or dates of the payment/contribution:

<u>Name of Member</u>	<u>Date</u>
_____	_____
_____	_____
_____	_____
_____	_____

If the payment/contribution above was through a PAC, identify the PAC and the date of the transfer to the treasurer or continuing committee:

_____	_____
_____	_____

Solicitation and other Payment/Contribution Information

2. Did the applicant solicit a person or business entity to make a payment/contribution to a member during the 36 months before the application filing or during the pendency of the application? \_\_\_\_ Yes X No

If the answer to #2 above is yes, and a payment/contribution was made, list below the name of the member or members, the date or dates of the payment/contribution, and the name of the contributor:

<u>Name of Member</u>	<u>Date</u>	<u>Name of Contributor</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

3. Did a member of the applicant's household make a payment/contribution to a member during the 36 months before the application filing or during the pendency of the application? \_\_\_\_ Yes X No

If the answer to #3 above is yes, list below the name of the member or members, the date or dates of the payment/contribution, and the name of the household member who made the contribution/payment:

<u>Name of Member</u>	<u>Date</u>	<u>Name of Contributor</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

I hereby make oath or affirmation that the contents of this affidavit are true and correct to the best of my knowledge, information and belief.

 \_\_\_\_\_

Signature (original to be filed with the Clerk)



\_\_\_\_\_ Date

\_\_\_\_\_  
David Terzian  
Printed Name of Signer

\_\_\_\_\_  
Title of Signer (if applicable)

**STATEMENT OF JUSTIFICATION  
DEPARTURE FROM DESIGN STANDARDS  
DDS-22005  
UNIVERSITY PLACE SHOPPING CENTER  
August 15, 2023**

**APPLICANT**

University Place Center, LLC  
RB-UP LLC  
15942 Shady Grove Road  
Gaithersburg, MD 20877  
Contact: Robert Begelman  
(301) 873-4002

**ATTORNEY**

Gibbs and Haller  
1300 Caraway Court, Suite 102  
Largo, Maryland 20774  
Contact: Thomas Haller  
301-306-0033

**ENGINEER**

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18229-A Flower Hill Way  
Flower Hill Professional Center  
Gaithersburg, MD 20879  
Contact: Pritam Arora  
301-258-1173 X 102

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## **1.0 INTRODUCTION/OVERVIEW**

The applicant for this Departure from Design Standards is University Place Center, LLC ("Applicant"). The Applicant is also the majority owner of the property which is the subject of this application, known as the University Place Shopping Center. A companion Departure from the Number of Parking and Loading Standards, referenced as DPLS-22007 has also been filed and will be processed concurrently with this application.

The property which is the subject of this application is located at 1500 University Boulevard, Hyattsville, Maryland 20783. The property may be more particularly described as Parcel 76 on Tax Map 32, Grid C-3 (the "Subject Property"). As will be described in greater detail below, the purpose of these companion applications is to permit the Applicant to reconfigure an existing parking lot serving the shopping center as the result of a taking of land by the Maryland Department of Transportation ("MDOT") to construct the Purple Line along University Boulevard. This taking reduced the size of the parking lot such that the property no longer has the minimum number of parking spaces required. If approved, these applications will allow the Applicant to modify the parking lot and increase the number of parking spaces which currently exist. Doing so will allow the Applicant to provide enough spaces to meet the needs of the

existing and future tenants and to create a layout that provides safe and adequate circulation.

## **2.0 SUBJECT PROPERTY**

The Subject Property is in the northeast corner of the intersection of University Boulevard and 15th Avenue. The Subject Property is currently zoned LTO-c but was zoned C-S-C under the prior Zoning Ordinance. The Subject Property is improved with a shopping center containing a total of 29,090 square feet, originally constructed in or about 1959. The Subject Property is fully leased to five tenants—two eating and drinking establishments, a pawnshop, a laundromat/hair salon and a dialysis center. Parking is provided based upon the requirements for an integrated shopping center, with the exception of the dialysis center. The dialysis center is parked as a medical clinic because it exceeds 20% of the gross leasable area of the shopping center. The required parking is 124 parking spaces. Prior to the taking by MDOT, the shopping center had a total of 125 parking spaces.

## **3.0 JUSTIFICATION FOR FILING APPLICATION PURSUANT TO OLD ZONING ORDINANCE**

The Zoning Ordinance which went into effect on April 1, 2022 permits applications to be filed pursuant to the provisions of the prior Zoning Ordinance. The Applicant submits this application pursuant to the provisions of the prior Zoning

Ordinance. Section 27-1904(b) requires that a Justification Statement be included with any application filed under the provisions of the prior Zoning Ordinance. The attorney for the Applicant explored the feasibility of addressing the parking issue under the current Zoning Ordinance since in the LTO-c Zone, no minimum parking is required and a DPLS would not have been necessary. However, transitioning to the new Zoning Ordinance would have triggered use issues and any future modification to the building would have triggered requirements that the site cannot meet. After extensive discussion with Deputy Director Derick Berlage, it was agreed that proceeding under the provisions of the prior Zoning Ordinance was the best course of action in this instance.

#### **4.0 DEVELOPMENT HISTORY OF PROPERTY**

As noted above, the existing shopping center was constructed in or around 1959. In December 1986, the property was conveyed to N'Eyesh Properties. This entity ultimately became University Place Center, LLC, the Applicant. Thus, the Applicant has owned the property for over 36 years. Despite its age, the property has been well maintained and 100% occupied. It is located in a highly populated area and many of the customers of the center arrive by foot. After the Subject Property was developed, changes in development regulations which occurred over the years caused the existing improvements to no longer comply with all of

the requirements of the Zoning Ordinance. As a result, the Applicant sought and obtained variances to bring the existing improvements in conformance with current requirements.

**NOTE:** The following variances were heard and approved by the Board of Zoning Appeals on 9-14-1988, 3-22-1989 and 4-5-1989. (BZA Case No. 9498.)

<u>Section of Ordinance</u>	<u>Requirement Summarized</u>	<u>Extent of Variance</u>
27.450(a)(1)	10' Landscape strip	10'
27.450(a)(2)	½ of yards landscaped and screening	full
27.462(b)	building setbacks: 10' from street; 25' rear; 12' side	full
27.462(b)	street deemed to be 70' wide	existing r.o.w. to suffice

In addition to the variances listed above, an addition was constructed onto the shopping center prior to 1965 that encroached into the right of way for 15<sup>th</sup> Avenue. In order to validate this encroachment, the Applicant filed Vacation Petition No. V-91075 to vacate a portion of the right of way to allow this addition to remain. That Petition to Vacate the right of way of 15<sup>th</sup> Avenue was approved by the Prince George's County Planning Board pursuant to Prince George's County Planning Board Resolution No. 91-431.

## **5.0 DEVELOPMENT PROPOSAL**

As noted above, the Subject Property has been impacted by the construction of the Purple Line, which extends along the north side of University Boulevard. In fact, the State Highway Administration has now acquired 10,335 square feet of the Subject Property, roughly taking 40 feet of land measured from the prior right-of-way line. The taking of this land removes over 40 parking spaces, which will reduce the parking below what the Applicant believes is necessary to support the existing and future tenants. Thus, the Applicant is seeking to reconfigure the front parking field to recoup as many spaces as possible. To do this, two applications will be required. First, the Applicant is seeking to utilize 9' X 18' parking spaces rather than 9.5' X 19' parking spaces to provide a few more spaces and provide more room for driveway aisles. Second, the Applicant will only be able to provide a total of 107 parking spaces following the reconfiguration, which is still less than the minimum required. Thus, a Departure from the Number of Parking and Loading Spaces of 14 spaces will be required. SHA has recently begun mobilizing for construction and the impact of this activity on the availability of parking accentuates the need for the Applicant needs to obtain approval of a new site plan and to be in a position to obtain a new use and occupancy permit if a tenant leaves.

## SUMMARY OF REQUIRED DEPARTURE

The regulations governing the design of off-street parking and loading spaces are set forth in Part 11 of the Prince George's County Zoning Ordinance. Section 27-558(a) governs the size of parking spaces. This Section provides that nonparallel standard car spaces shall measure 19' x 9½' and permits up to one-third of the required spaces to be compact car spaces measuring 8' x 16½'. By reconfiguring the remaining parking lot, the applicant is providing 107 parking spaces, with 77 spaces measuring 18' x 9', 25 compact space and 5 handicapped spaces.

It is noted that under the provisions of the current Zoning Ordinance, the standard size of a parking space is now 9' X'18'. Since this application is filed pursuant to the provisions of the former Zoning Ordinance, where the standard parking space size is 9.5' X 19 feet, this departure is required. The Applicant submits that there is ample justification for modifying the size of the parking spaces provided on site.

Maximizing the number of parking spaces within the remaining paved area is critical to satisfying the parking needs of the shopping center. The parking space size of 9' X 18' has been adopted by many local jurisdictions, including Montgomery and Prince George's County. The modest reduction in the depth and width of the spaces from the standard in the former Zoning Ordinance allows for adequate aisle widths to be provided and

allows for a few additional parking spaces over that which could be achieved without the departure.

### **CRITERIA FOR APPROVAL**

The criteria for approval of a Departure from Design Standards are set forth in Section 27-239.01(b) (7) (A). In order for the Planning Board to grant a departure, it shall make the following findings:

**(1) The purposes of this Subtitle will be equally well or better served by the applicant's proposal;**

The purposes of Part 11 of the Zoning Ordinance addressing Parking and Loading are found in Section 27-550. For parking, the primary purpose is to ensure that all buildings and uses provide off street parking which is "...sufficient to serve the parking and loading needs of all persons associated with the buildings and uses." The applicant submits that the purposes of the parking and loading regulations will be equally well or better served by the proposed site plan.

The applicant is proposing that all parking spaces, except for compact spaces and the spaces provided for the physically handicapped, be 9' x 18'. Section 27-558(a) requires that standard nonparallel parking spaces measure 9½' x 19' while nonparallel compact car spaces must be 16½' x 8'. The difference between the required standard car space measurement and the 9' x 18' space the applicant is proposing is insignificant as they

provide ample room for vehicles to park safely on site and are a common space size in the region. Reducing the parking space size is critical, however, to maximize the number of parking spaces on site and providing driveway aisle widths that meet the requirements of the Zoning Ordinance. This creates a more efficient and functional parking layout and will serve the purposes of the subtitle equally well.

**(2) The departure is the minimum necessary, given the specific circumstances of the request;**

The departure from Section 27-558(a) sought by the applicant for its proposed 9' x 18' parking spaces is the minimum necessary given the specific circumstances of this request. As noted above, the reduction in the size of the parking lot requires the remaining parking area to be reconfigured. There is no other place on the Subject Property to add additional property and maximizing the available space can be accomplished by a small reduction in the parking space size. This will allow the reconfigured parking lot to operate efficiently without reducing the parking space size below that which is functional.

**(iii) The departure is necessary in order to alleviate circumstances which are unique to this site or prevalent in areas of the County developed prior to November 29, 1949;**

As discussed under the development history of the Subject Property, the existing buildings were constructed in 1959.

However, the departure is necessary to alleviate circumstances unique to the site, as it is one of the properties impacted by takings needed to construct the Purple Line. The reduction in the area of the parking lot requires a reconfiguration and since that reconfiguration cannot reclaim all of the parking which previously existed, the Applicant seeks to maximize the number of spaces while still creating a fully safe and functional parking lot. Allowing a modest reduction in the width and length of the standard size spaces to the standard contained in the new Zoning Ordinance is necessary to alleviating the impact of the Purple Line taking.

**(iv) The departure will not impair the visual, functional, or environmental quality or integrity of the site or of the surrounding neighborhood;**

The applicant submits that the requested departure will not impair the visual, functional, or environmental quality or integrity of the site or of the surrounding neighborhood. The Subject Property has operated for over 60 years with a parking field between the building and University Boulevard. The reconfiguration of the parking area is required as a result of the Purple Line taking. Maximizing the number of spaces which can be provided will not in any way impair the visual integrity of the site or the functional quality or integrity of the site. The restriping of the parking lot, relocation of a few landscape islands and replanting of trees and shrubs which have died over

the years will, in fact, improve the visual and environmental quality and integrity of the site and the surrounding neighborhood.

The departure from Section 27-558(a) will allow the site to provide adequately sized spaces and driveway aisles to accommodate all types of vehicles visiting the site.

**CONCLUSION**

Based on all the foregoing reasons, the applicant respectfully requests approval of the requested departure.

Respectfully submitted,



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GIBBS AND HALLER  
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Largo, Maryland 20774  
(301) 306-0033

**STATEMENT OF JUSTIFICATION  
DEPARTURE FROM DESIGN STANDARDS  
DPLS-22007  
UNIVERSITY PLACE SHOPPING CENTER  
AUGUST 15, 2023**

**APPLICANT**

University Place Center, LLC  
RB-UP LLC  
15942 Shady Grove Road  
Gaithersburg, MD 20877  
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## **1.0 INTRODUCTION/OVERVIEW**

The applicant for this Departure from Design Standards is University Place Center, LLC ("Applicant"). The Applicant is also the majority owner of the property which is the subject of this application, known as the University Place Shopping Center. A companion Departure from Design Standards, referenced as DDS-22005, has also been filed and will be processed concurrently with this application.

The property which is the subject of this application is located at 1500 University Boulevard, Hyattsville, Maryland 20783. The property may be more particularly described as Parcel 76 on Tax Map 32, Grid C-3 (the "Subject Property"). As will be described in greater detail below, the purpose of these companion applications is to permit the Applicant to reconfigure an existing parking lot serving the shopping center as the result of a taking of land by the Maryland Department of Transportation ("MDOT") to construct the Purple Line along University Boulevard. This taking reduced the size of the parking lot such that the property no longer has the minimum number of parking spaces required. If approved, these applications will allow the Applicant to modify the parking lot and maximize the number of spaces within the remaining parking lot. Doing so will allow the Applicant to provide enough spaces to meet the needs of the

existing and future tenants and to create a layout that provides safe and adequate circulation.

## **2.0 SUBJECT PROPERTY**

The Subject Property is in the northeast corner of the intersection of University Boulevard and 15th Avenue. The Subject Property is currently zoned LTO-c but was zoned C-S-C under the prior Zoning Ordinance. The Subject Property is improved with a shopping center containing a total of 29,090 square feet, originally constructed in or about 1959. The Subject Property is fully leased to five tenants—two eating and drinking establishments, a pawnshop, a laundromat/hair salon and a dialysis center. Parking is provided based upon the requirements for an integrated shopping center, with the exception of the dialysis center. The dialysis center is parked as a medical clinic because it exceeds 20% of the gross leasable area of the shopping center. The required parking is 124 parking spaces. Prior to the taking by MDOT, the shopping center had a total of 125 parking spaces.

## **3.0 JUSTIFICATION FOR FILING APPLICATION PURSUANT TO OLD ZONING ORDINANCE**

The Zoning Ordinance which went into effect on April 1, 2022 permits applications to be filed pursuant to the provisions of the prior Zoning Ordinance. The Applicant submits this application pursuant to the provisions of the prior Zoning

Ordinance. Section 27-1904(b) requires that a Justification Statement be included with any application filed under the provisions of the prior Zoning Ordinance. The attorney for the Applicant explored the feasibility of addressing the parking issue under the current Zoning Ordinance since in the LTO-c Zone, no minimum parking is required and a DPLS would not have been necessary. However, transitioning to the new Zoning Ordinance would have triggered use issues and any future modification to the building would have triggered requirements that the site cannot meet. After extensive discussion with Deputy Director Derick Berlage, it was agreed that proceeding under the provisions of the prior Zoning Ordinance was the best course of action in this instance.

#### **4.0 DEVELOPMENT HISTORY OF PROPERTY**

As noted above, the existing shopping center was constructed in or around 1959. In December 1986, the property was conveyed to N'Eyesh Properties. This entity ultimately became University Place Center, LLC, the Applicant. Thus, the Applicant has owned the property for over 36 years and is intimately familiar with the operation of the center, the needs of the existing tenants and the number of parking spaces which will be needed to serve the needs of the tenants. Despite its age, the property has been well maintained and 100% occupied. It is located in a highly populated area and many of the customers of the center arrive by

foot. After the Subject Property was developed, changes in development regulations which occurred over the years caused the existing improvements to no longer comply with all of the requirements of the Zoning Ordinance. As a result, the Applicant sought and obtained variances to bring the existing improvements in conformance with current requirements.

**NOTE:** The following variances were heard and approved by the Board of Zoning Appeals on 9-14-1988, 3-22-1989 and 4-5-1989. (BZA Case No. 9498.)

<u>Section of Ordinance</u>	<u>Requirement Summarized</u>	<u>Extent of Variance</u>
27.450(a)(1)	10' Landscape strip	10'
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27.462(b)	street deemed to be 70' wide	existing r.o.w. to suffice

In addition to the variances listed above, an addition was constructed onto the shopping center prior to 1965 that encroached into the right of way for 15<sup>th</sup> Avenue. In order to validate this encroachment, the Applicant filed Vacation Petition No. V-91075 to vacate a portion of the right of way to allow this addition to remain. That Petition to Vacate the right of way of 15<sup>th</sup> Avenue was approved by the Prince George's County Planning

Board pursuant to Prince George's County Planning Board  
Resolution No. 91-431.

## **5.0 DEVELOPMENT PROPOSAL**

As noted above, the Subject Property has been impacted by the construction of the Purple Line, which extends along the north side of University Boulevard. In fact, the State Highway Administration has now acquired 10,335 square feet of the Subject Property, roughly taking 40 feet of land measured from the prior right-of-way line. The taking of this land removes over 40 parking spaces, which will reduce the parking below what the Applicant believes is necessary to support the existing and future tenants. Thus, the Applicant is seeking to reconfigure the front parking field to recoup as many spaces as possible. To do this, two applications will be required. First, the Applicant is seeking to utilize 9' X 18' parking spaces rather than 9.5' X 19' parking spaces to provide a few more spaces and provide more room for driveway aisles. This is the subject of the companion Departure from Design Standards. Second, the Applicant will only be able to provide a total of 107 parking spaces following the reconfiguration, which is still less than the minimum required—although it is 22 more spaces than remain after the taking. Thus, this Departure from the Number of Parking and Loading Spaces is also required to reduce the number of spaces required from 124 to 107 (a reduction of 17 spaces). SHA has recently

begun mobilizing for construction and the impact of this activity on the availability of parking accentuates the need for the Applicant needs to obtain approval of a new site plan and to be able to obtain a new use and occupancy permit if a tenant leaves.

## **6.0 SUMMARY OF REQUIRED DEPARTURE**

The regulations governing the design of off-street parking and loading spaces are set forth in Part 11 of the Prince George's County Zoning Ordinance. The minimum number of parking spaces required is set forth in Section 27-568 of the Zoning Ordinance. As noted above, the Subject Property is improved with an integrated shopping center containing a total of 29,090 square feet, originally constructed in or about 1959. The Subject Property is fully leased to five tenants—two eating and drinking establishments, a pawnshop, a laundromat/hair salon and a dialysis center. While integrated shopping centers with more than 25,000 feet are typically parked at a ratio of one parking space per 25,000 square feet, that ratio does not apply to medical practitioner's offices (medical clinics) when the square footage devoted to such uses exceeds 20% of the total shopping center. In this case, the dialysis center contains a total of 6,986 square feet, or 24% of the total shopping center. This requires the number of spaces devoted to the medical offices to be calculated at 1 space per 200 square feet. Under this calculation, 35 parking spaces are required for the dialysis

center and 89 parking spaces are required for the retail uses, for a total of 124 parking spaces.

While 125 parking spaces existing prior to the Purple Line taking, the area required for the Purple Line contained all or part of 40 spaces. Not only did this reduce the number of spaces on site to approximately 85 spaces, all the remaining spaces are not accessible, requiring a reconfiguration of the parking lot. If reconfigured as proposed (and assuming approval of the companion DDS), the Applicant will be able to have a total of 107 parking spaces, 17 less than required, but 22 more than remain after the taking.

## **7.0 CRITERIA FOR APPROVAL**

Departures from the off-street parking requirements may be granted by the Planning Board in accordance with the provisions of Section 27-588 of the Prince George's County Zoning Ordinance. Section 27-588(b)(8) sets forth the required findings which the Planning Board must make in order to grant a requested departure from the off-street parking requirements. Those findings are as follows:

- (1) That the purposes of this Part will be served by the applicant's request;**

The purposes of the parking requirements are set forth in Section 27-550. Those purposes generally are to ensure that any use provides sufficient off-street parking to service said use and to lessen traffic congestion on the streets by reducing the

use of the streets for parking. The applicant submits that its proposal in this case satisfies the purposes for requiring off-street parking.

As set forth above, the Subject Property is improved with an integrated shopping center exceeding 25,000 square feet. If no medical use occupied the shopping center, a total of 117 parking spaces would be provided. However, the dialysis center increases the number of required spaces to 124. A total of 107 spaces will exist after reconfiguring the parking lot. For the reasons set forth below, the Applicant submits that the number of spaces provided is adequate to serve the needs of the shopping center.

First, as noted above, the Applicant has owned the shopping center for over 30 years and is intimately familiar with its operations. Due to its location in an urban area of the County, many of the customers patronizing the center arrive by foot or by bus, reducing the number of parking spaces required. A WMATA bus stop is located on University Boulevard directly across 15<sup>th</sup> Avenue from the Subject Property. In addition, the reduction in the number of spaces resulting from the construction of the Purple Line is offset by the fact that light rail transit is being constructed, with the proposed station less than 300 feet from the Subject Property. The proximity of mass transit, the availability of bus service and the urban nature of the area reduce the reliance on automobiles to access the center. The

proximity of the proposed Riggs Road Station Platform to the Subject Property can be seen on the image below:



The reduced need for parking spaces is further evidenced by the fact that under the new Zoning Ordinance, parking regulations were revised to reflect the reduced need for minimum parking requirements in transit-oriented areas and inside the Capital Beltway. As referenced above, in the LTO-c Zone, there is no minimum parking requirement. Further, in any other zone inside the Capital Beltway, for a shopping center of this size, the minimum parking requirement is one space per 300 square feet of retail and one space per 400 square feet of office. Utilizing these ratios, the total number of required parking spaces would be 92 spaces. While these regulations are not applicable to the Subject Property, they demonstrate that 107 parking spaces which

will result from the reconfiguration of the parking lot are sufficient to meet the needs of an integrated shopping center in close proximity to mass transit located inside the Capital Beltway.

The Applicant would also note, as discussed in greater detail below, that an October 2021 parking study conducted by the Maryland-National Capital Park and Planning Commission for the Takoma/Langley Crossroads area found that there was not a shortfall of available parking for the commercial areas within the boundaries of the study, which included the Subject Property. Concerns were raised by some commercial properties, however, about the loss of parking caused by the Purple Line and the need to reconfigure parking lots, as is proposed in this application.

Based on all of the above, the applicant submits that it is clear that the requested departure would, if granted, satisfy the purposes of the parking regulations set forth in Section 27-550 and would in no way impair any of the purposes of the Zoning Ordinance generally.

**(2) The departure is the minimum necessary, given the specific circumstances of the request;**

The request which the applicant is making is the minimum necessary. The taking of land by the Purple Line reduces the size of the existing parking lot and impacts the ability to access the remaining parking spaces. Thus, the parking lot needs

to be reconfigured. With the reduction in the size of a standard size parking space to 9' X 18' requested in the DDS, the Applicant is able to provide a total of 107 parking spaces. This is the maximum number that can reasonably be located on site. With 124 spaces required, the departure of 17 spaces is the minimum departure necessary, given the specific circumstance of the request.

**(3) The departure is necessary in order to alleviate certain circumstances which are special to the subject use, given its nature at this location, or alleviate circumstances which are prevalent in order areas of the County which were predominantly developed prior to November 29, 1949;**

As discussed under the development history of the Subject Property, the existing buildings were constructed in 1959. However, the departure is necessary to alleviate circumstances unique to the site, as it is one of the properties impacted by takings needed to construct the Purple Line. The reduction in the area of the parking lot reduces the number of parking spaces below the minimum requirements. However, as set forth above, the number of spaces which can be achieved by reconfiguring the remaining parking field will reasonably satisfy the parking requirements for a shopping center of this size located near mass transit and inside the Capital Beltway. Notwithstanding, the departure is necessary to alleviate the impact of the Purple Line taking.

**(4) All methods for calculating the number of spaces required (Division 2, Subdivision 3, and Division 3, Subdivision 3, of this Part) have either been used or found to be impractical;**

The calculation of the number of parking spaces required has been utilized for many years. There are no other means of calculating the number of spaces required which reduce would eliminate the need for this Departure. The applicant has no other option than to request a departure from the number of parking spaces.

**(5) Parking and loading needs of adjacent residential areas will not be infringed upon, if the departure is granted.**

The applicant submits that the parking and loading needs of residential areas will not be infringed upon if this request is granted. As discussed in detail above, the parking which will exist upon the reconfiguration of the parking lot will be sufficient to meet the needs of the existing tenants and therefore will prevent any impact on adjacent residential areas.

Section 27-588 also requires the Planning Board to give consideration to certain other matters. These are as follows:

**(1) The parking and loading conditions within the general vicinity of the subject property, including number and locations of available on and off-street spaces within five hundred (500) feet of the subject property;**

There is no shortage of parking and loading spaces within the general vicinity of this property to the best of the

applicant's knowledge. Upon completion of the Purple Line, reliance on automobile trips will be reduced as mass transit will be available. The reconfiguration of the remaining parking lot will ensure a sufficient number of spaces exist to serve the existing shopping center.

**(2) The recommendations of an area Master plan or County/Local Revitalization Plan, regarding the subject property and its general vicinity;**

The Subject Property is located within the boundaries of the 2009 Approved Takoma/Langley Crossroads Sector Plan. Plan Prince George's 2035 further places the Subject Property within the Takoma Langley Crossroads Local Transit Center. The Subject Property is also located within the boundaries of the Takoma/Langley Crossroads Parking Study dated October 2021. The Sector Plan recognizes the C-S-C zoning that was in place at the time the Sector Plan was adopted and the existing commercial land use. The Sector Plan did not include a Sectional Map Amendment, thus retaining that zoning that predated the Sector Plan. The Sector Plan did note the future construction of the Purple Line and the long-term vision is for the Subject Property and the surrounding area to be redeveloped with a dense, transit-oriented mix of uses once the Purple Line is completed. With the retention of the C-S-C Zone, the continued use of the property providing commercial services to the local community is

consistent with the underlying zoning and the recommendations of the applicable Plans.

It is also noted that in 2021, a Parking Study was completed for the Takoma/Langley Crossroads area, which includes the Subject Property. The study evaluated the supply and demand of parking for both residential and commercial uses. For commercial uses, the study found that the commercial land uses have most of the underutilized off-street parking supply in the study area. The study notes that the oversupply of parking in these areas could eventually be addressed by future redevelopment, which could eliminate the oversupply. Thus, the parking study conclusion that ample parking exists to serve the existing commercial uses is supportive of the requested DPLS.

**(3) The recommendations of a municipality within which the property lies regarding the departure;**

This property does not lie within the limits of any municipality.

**(4) Public parking facilities which are proposed within the general vicinity of the property.**

To the applicant's knowledge, there are no public parking facilities proposed within the general vicinity of the subject property. As noted above, however, the Takoma/Langley Crossroads Parking Study was completed in October 2021 and included an evaluation of parking supply and demand for the 15 commercial

zones designated in the study. The five commercial zones with the largest parking lots were identified, and one was the University Place retail assemblage. The study also included telephone based interviews of area businesses to understand perceptions regarding the sufficiency of parking supply. The results of the study were that the commercial area parking supply is sufficient to meet the parking demand under current conditions, although the study did note that concerns were raised regarding the construction of the Purple Line, the elimination of a number of parking spaces, and the need to reconfigure parking lots. This application is needed to address this very concern as it relates to the Subject Property.

Given all of the above considerations, the applicant respectfully submits that all of the required Findings set forth in Section 27-588 are met and satisfied with this application. Most importantly, the applicant submits the purposes for requiring off-street parking spaces are also satisfied. With the reconfiguration of the parking lot, 107 parking spaces will be sufficient to serve the needs of the Subject Property. This is true today and will continue to be the case once the Purple Line construction is completed and the transit station opens in close proximity to the shopping center. Therefore, the applicant requests that its departure from the required number of off-street parking spaces be granted.

**CONCLUSION**

Based on all the foregoing reasons, the applicant respectfully requests approval of the requested departure.

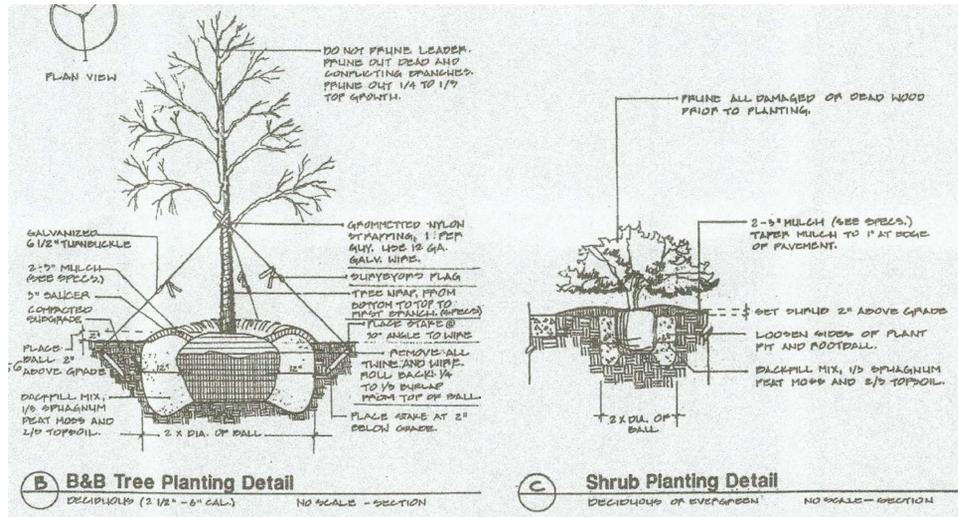
Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'THH', enclosed in a rectangular box.

---

Thomas H. Haller  
GIBBS AND HALLER  
1300 Caraway Court, Suite 102  
Largo, Maryland 20774  
(301) 306-0033

*S:\University Place/ DPLS Justification Statement.wpd*



PARKING/ LOADING SPACE SCHEDULE				
(NOTE: THE USE OF THIS PROPERTY IS AN INTEGRATED SHOPPING CENTER HAVING A TOTAL OF 29,090 S.T. GFA. INCLUDING 6,986+ S.F. OF MEDICAL OFFICE (24%) AND 22,104 S.F. OF RETAIL, ETC)				
No.	TYPE OF USE	NUMBER OF SPACE	UNIT OF MEASUREMENT	TOTAL NUMBER OF PARKING SPACES REQUIRED
1	MEDICAL OFFICE (6,986+ s.f. GLA)	1	200 s.f. GLA	35
2	INTEGRATED SHOPPING CENTER RETAIL, ETC. (22,104 S.F. GFA)	1	250 s.f. GFA	89
TOTAL PARKING REQUIRED.....				124
PARKING PROVIDED				
A. REGULAR PARKING 9' X 18'				77
B. PARALLEL PARKING 8' X 22'				3
C. COMPACT PARKING (8.25' X 16.5')				22
D. HANDICAPPED ( 13' X 18' and w/ 1 Van-Handicaped 16' X 18')				5
TOTAL PARKING PROVIDED W/ DEPARTURE.....				107
LOADING REQUIRED (PRE-1970 REGULATIONS)				
No.	TYPE OF USE	NUMBER OF SPACE	UNIT OF MEASUREMENT	TOTAL NUMBER OF PARKING SPACES REQUIRED
1	COMMERCIAL BUILDING W/ WIDTH OF 210'	1	50' of Building Width	5
TOTAL LOADING PROVIDED W/ PRE-1970 REGULATIONS				5

**NOTE:**  
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SECTION OF ORDINANCE	REQUIREMENT SUMMARIZED	EXTENT OF VARIANCE
27.450 (a)(1)	10' LANDSCAPE STRIP	10'
27.450 (a)(2)	1/2 OF YARDS LANDSCAPED AND SCREENING	FULL
27.462 (b)	BUILDING SETBACKS: 10' FROM STREET; 25' REAR; 12' SIDE	FULL
27.462 (b)	STREET DEEMED TO BE 70' WIDE	EXISTING R.O.W. TO SUFFICE

LANDSCAPE DEVELOPMENT STATISTICS		
A.	TOTAL SQ FT. OF PARKING COMPOUND	38,930 SF
B.	5% OF TOTAL PARKING COMPOUND AREA (REQUIRED FOR INTERIOR LANDSCAPING)	1947 SF
C.	INTERIOR LANDSCAPING AREA PROVIDED	2,258 SF
D.	NUMBER OF SHADE TREES REQUIRED AT 1 TREE PER 300 SQ. FT. OF REQUIRED INTERIOR LANDSCAPING AREA	7
E.	NUMBER OF SHADE TREES PROVIDED	7
F.	LINEAR FEET OF LANDSCAPING STRIP	387
G.	1 TREE PER EVERY 35 LINEAR FEET	12
H.	LANDSCAPING STRIP: SHADE TREES PROVIDED	12
I.	LANDSCAPE STRIP: SHRUBS REQUIRED AT 5 SHRUBS PER EVERY 35 LINEAR FEET	60
J.	LANDSCAPE STRIP: SHRUBS PROVIDED	60

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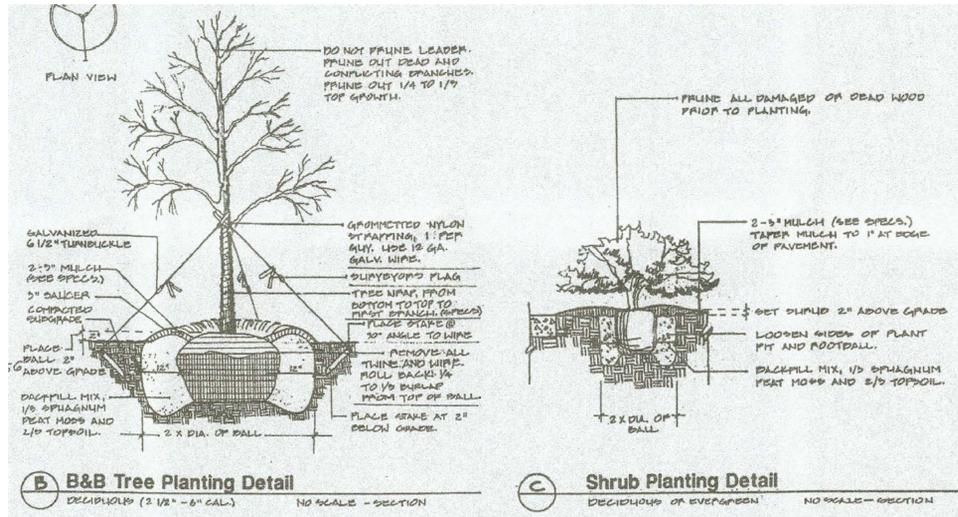
**UNIVERSITY PLACE SHOPPING CENTER**  
PARCEL 76  
TAX MAP 32, GRID C3  
CHILLUM DISTRICT, NO. 17  
PRINCE GEORGE'S COUNTY, MARYLAND

REVISIONS	DATE	DESCRIPTION
	9/1/23	FOR VARIANCE SUBMITTAL

**IS NOTES & DETAILS**

DATE: 08/30/23  
SCALE: AS SHOWN  
DRAWN: EMB  
DESIGNED: EMB/PLA  
CHECKED: PLA

SHEET: C-2 (2 OF 2)



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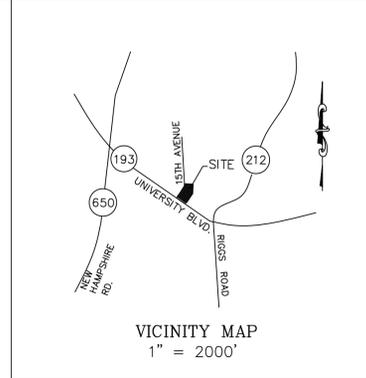
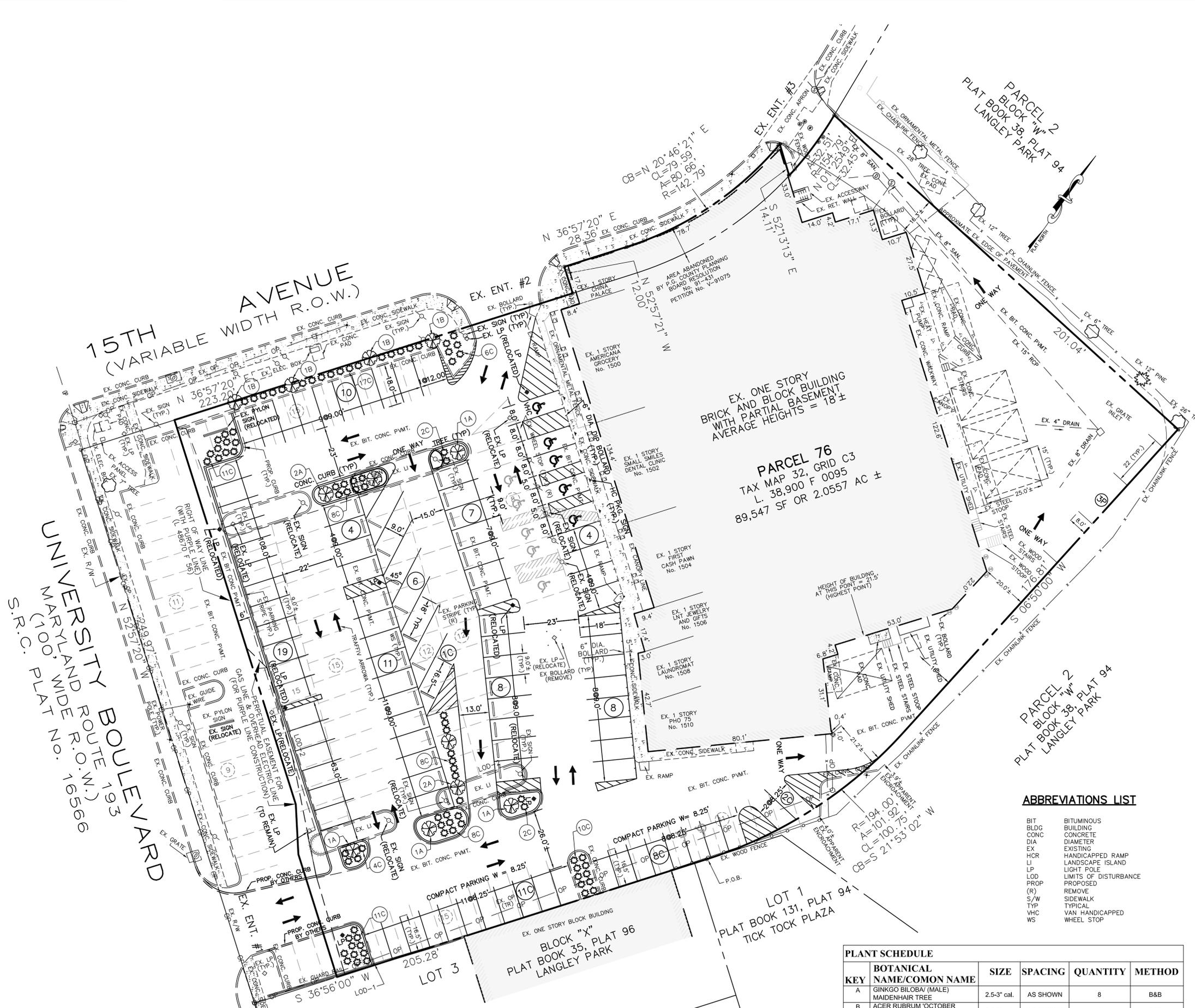
**UNIVERSITY PLACE SHOPPING CENTER**  
PARCEL 76  
TAX MAP 32, GRID C3  
CHILLUM DISTRICT, NO. 17  
PRINCE GEORGE'S COUNTY, MARYLAND

REVISIONS	DATE	DESCRIPTION
	9/1/23	FOR VARIANCE SUBMITTAL

**IS NOTES & DETAILS**

DATE: 08/30/23  
SCALE: AS SHOWN  
DRAWN: EMB  
DESIGNED: EMB/PLA  
CHECKED: PLA

SHEET: C-2 (2 OF 2)



- GENERAL NOTES**
- THIS PROPERTY CURRENT ZONING IS LTO-C & PRIOR ZONING IS C-S-C (COMMERCIAL SHOPPING CENTER). THE EXISTING BUILDING AND PARKING AREAS WERE CONSTRUCTED PRIOR TO 1965.
  - THE SURROUNDING PROPERTIES CURRENT ZONING IS LTO-C; PRIOR ZONING WAS R-18 & C-S-C. THE SURROUNDING USES INCLUDE MULTIFAMILY RESIDENTIAL DEVELOPMENT, A COMMERCIAL SHOPPING CENTER, AND AN AUTO PARTS STORE.
  - THE TOTAL AREA OF THE PROPERTY IS 2.0557 AC.
  - TOTAL LOD AREA = 4,400 SF.
  - THE PROPOSED PARKING LOT RECONFIGURATION WILL NOT RESULT IN AN INCREASE IN EXISTING IMPERVIOUS AREA.
  - THE SITE IS EXEMPT FROM APPLICATION OF THE 2010 LANDSCAPE MANUAL PER SECTIONS 1.1. LANDSCAPING PREVIOUSLY EXISTING ON SITE WHICH HAS DIED WILL BE RESTORED.

- PARKING WAIVER AND DDS/DPLS NOTES**
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 TAX MAP 32, GRID C3  
 L. 38,900 F 0095  
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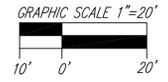
**PARCEL 2**  
 BLOCK "W"  
 PLAT BOOK 38, PLAT 94  
 LANGLEY PARK

**ABBREVIATIONS LIST**

BIT	BITUMINOUS
BLDG	BUILDING
CONC	CONCRETE
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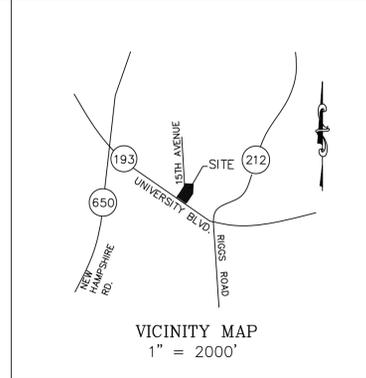
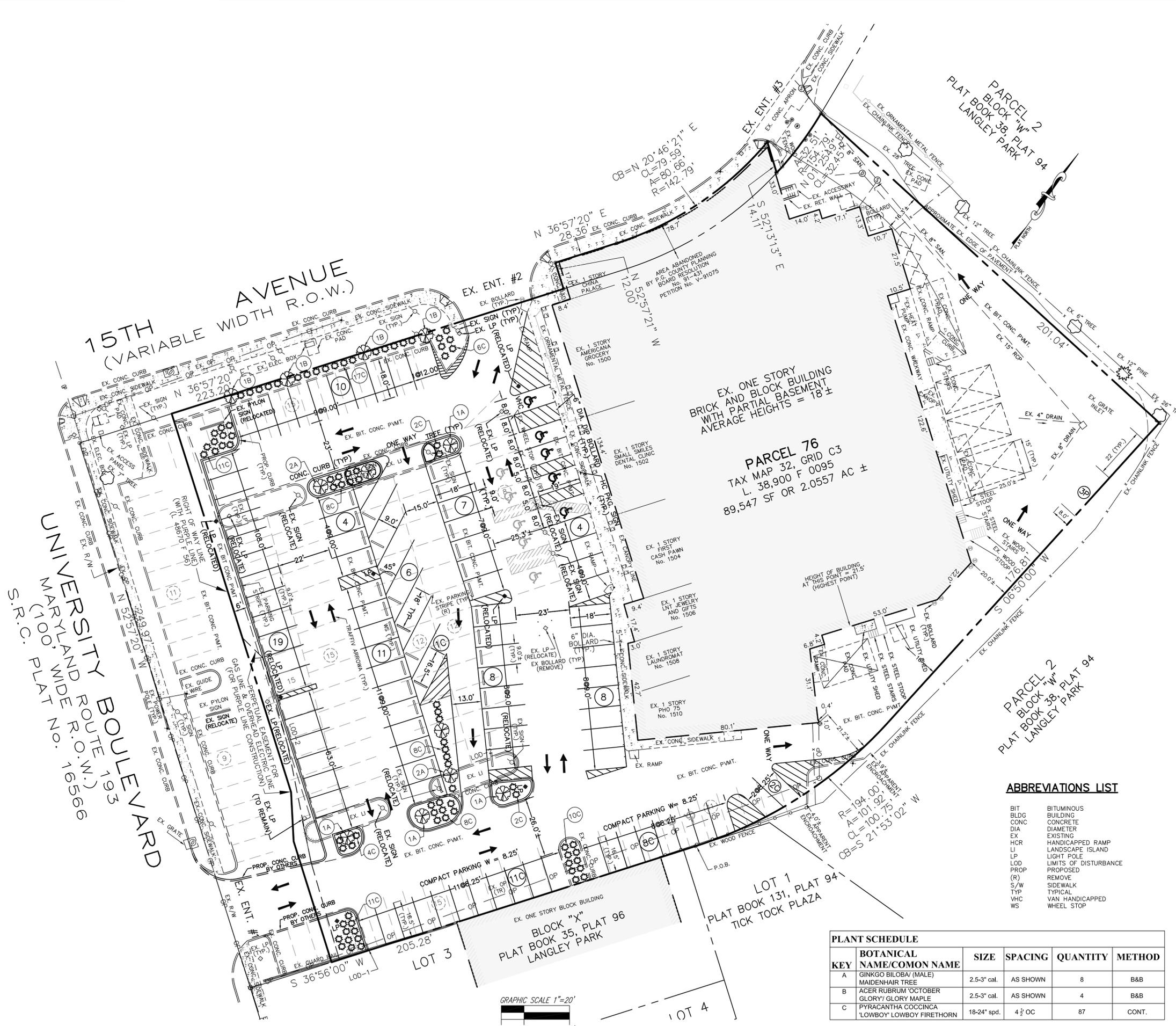
**UNIVERSITY PLACE SHOPPING CENTER**  
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REVISIONS	DATE	DESCRIPTION
	11/01/23	FOR PRE-SUBMISSION
	07/17/2023	FOR VARIANCE SUBMITTAL

**TITLE: SITE & LS PLAN**

DATE: 06/27/23  
 SCALE: 1"=20'  
 SHEET: C-1 (1 OF 2)

DRAWN: EMB  
 DESIGNED: EMB/PLA  
 CHECKED: PLA



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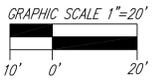
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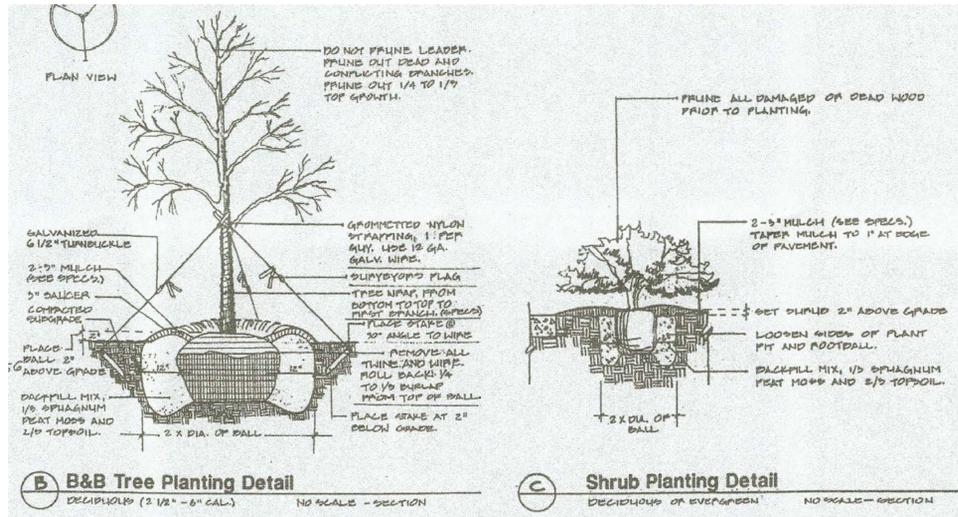
**REVISIONS**

DATE	DESCRIPTION
11/01/23	FOR PRE-SUBMISSION
9/7/2023	FOR VARIANCE SUBMITTAL

**TITLE: SITE & LS PLAN**

**DATE:** 06/27/23  
**SCALE:** 1"=20'  
**SHEET:** C-1 (1 OF 2)

**DRAWN:** EMB  
**DESIGNED:** EMB/PLA  
**CHECKED:** PLA



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27.450 (a)(2)	1/2 OF YARDS LANDSCAPED AND SCREENING	FULL
27.462 (b)	BUILDING SETBACKS: 10' FROM STREET; 25' REAR; 12' SIDE	FULL
27.462 (b)	STREET DEEMED TO BE 70' WIDE	EXISTING R.O.W. TO SUFFICE

LANDSCAPE DEVELOPMENT STATISTICS		
A.	TOTAL SQ. FT. OF PARKING COMPOUND	38,930 SF
B.	5% OF TOTAL PARKING COMPOUND AREA (REQUIRED FOR INTERIOR LANDSCAPING)	1947 SF
C.	INTERIOR LANDSCAPING AREA PROVIDED	2,258 SF
D.	NUMBER OF SHADE TREES REQUIRED AT 1 TREE PER 300 SQ. FT. OF REQUIRED INTERIOR LANDSCAPING AREA	7
E.	NUMBER OF SHADE TREES PROVIDED	7
F.	LINEAR FEET OF LANDSCAPING STRIP	387
G.	1 TREE PER EVERY 35 LINEAR FEET	12
H.	LANDSCAPING STRIP: SHADE TREES PROVIDED	12
I.	LANDSCAPE STRIP: SHRUBS REQUIRED AT 5 SHRUBS PER EVERY 35 LINEAR FEET	60
J.	LANDSCAPE STRIP: SHRUBS PROVIDED	60

PLANT SCHEDULE					
KEY	BOTANICAL NAME/COMMON NAME	SIZE	SPACING	QUANTITY	METHOD
A	GINKGO BILOBA/ (MALE) MAIDENHAIR TREE	2.5-3" cal.	AS SHOWN	8	B&B
B	ACER RUBRUM/OCTOBER GLORY/ GLORY MAPLE	2.5-3" cal.	AS SHOWN	12	B&B
C	PYRACANTHA COCCINCA/LOWBOY/LOWBOY FIRETHORN	18-24" spd.	4 1/2 o.c.	170	CONT.

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 11101, EXPIRATION DATE: SEPT. 17, 2024



**DESIGN ENGINEERING INCORPORATED**  
FULL SERVICE ENGINEERING & RELATED SERVICES  
18229-A FLOWER HILL WAY GAITHERSBURG, MARYLAND 20879  
PHONE: (301) 258-1173 EXT. 102  
CONTACT PERSON: PRITAM ARORA  
E-MAIL: parora@dei.us.com

**UNIVERSITY PLACE SHOPPING CENTER**  
PARCEL 76  
TAX MAP 32, GRID C3  
CHILLUM DISTRICT, NO. 17  
PRINCE GEORGE'S COUNTY, MARYLAND

REVISIONS	DATE	DESCRIPTION
	9/1/23	FOR VARIANCE SUBMITTAL

**IS NOTES & DETAILS**

DATE: 08/30/23  
SCALE: AS SHOWN  
DRAWN: EMB  
DESIGNED: EMB/PLA  
CHECKED: PLA

SHEET: C-2 (2 OF 2)



# M-NCPPC Development Review Division

## Zoning, Special Exception and Departures Checklist

Submittal Date: September 28, 2023

Project Name & Number: DDS-22005 + DPLS-22007 University Place Shopping Center

Technician Review Date: 10/2/2023 Date to Supervisor: \_\_\_\_\_

Reviewer: \_\_\_\_\_

Date Comments Transmitted to Applicant: \_\_\_\_\_

Revised Plans/Documents Received: \_\_\_\_\_

### PLANNING TECHNICIAN - REVIEW OF BASIC REQUIREMENTS

#### DOCUMENTS REQUIRED:

- Typed and signed Application Form
- CD of all documents/plans required for acceptance
- Zoning Sketch Map (no older than 6 months)**
- Conditions of all previous approvals, including comments from M-NCPPC Permits Office or DER violations
- Approval Letter for SWM Concept Plan
- Tree Conservation Plan or Exemption Letter
- State Ethics Commission Affidavit(s)
- Property Survey, sign/sealed+ bearings/distances
- Pre-Acceptance Assessment Reviews from Transportation and Historic Preservation completely filled out & signed by their staff person**
- Affidavit of Informational Mailing (letter, "Receipt," list of addressees, & affidavit of mailing)
- Receipt and All applicable pre-assessments checklist /Scoping Agreement and
- Point-by-Point Response of Revised Submission **(to be submitted after our initial review comments)**

#### Property Survey:

- Professional Signed and Sealed
- Bearings and Distances in Feet

#### SITE PLAN Requirements:

##### General Notes:

- Subdivision Name
- Total Acreage **(broken down by all zones)**
- Existing Zoning
- Proposed Use of Property
- Number of Lot, Parcels, Outlots & Outparcels
- Breakdown of Proposed Dwelling Units by Type
- Gross Floor Area (Commercial/Industrial Only)
- 200 Foot Map Reference (WSSC)
- Tax map number and grid
- Aviation Policy Area (airport name and APA #)
- Water/Sewer Designation (Existing)
- Water/Sewer Designation (Proposed)
- Stormwater Management Concept Number
- 10-foot Public Utility Easement along all rights-of-way
- Mandatory Park Dedication (if applicable, how to be provided)
- Cemeteries on or contiguous to the property (indicate yes or no)
- Historic Sites on or in the vicinity of the property (indicate yes or no)
- Wetlands (indicate yes or no)
- 100-year floodplain (indicate yes or no)
- Within Chesapeake Bay Critical Area (indicate yes or no)
- Source of topography
- Applicant (indicate either owner or contract purchaser)

##### Drawing Requirements:

- Title Block
- Revision Block
- Professional Signed and Sealed
- Location Map
- North Arrow
- Drawings at Same Scale
- Property Boundaries Outlined in Red with Bearings and Distances
- Zoning of Subject Property
- Total Area Calculation in Square Feet or Acres
- Adjacent Properties – Owner’s Names, Lot, Block, Zoning, Use and Buildings Within 50 feet
- Location, Area, Height and Distance to Property Line for Existing and Proposed Buildings, Structures and Uses
- Dimensions of all Existing and Proposed Buildings and Structures
- Layout of Parking and Loading Facilities
- Access and Internal Circulation
- Schedules for Required Parking and Loading Spaces
- Typical Sizing of Parking and Loading Spaces
- Typical Screening of Loading Facilities
- Drive Aisles - Location, Width, Circulation and Street Connection
- Proposed Striping Method

- Lighting - Location, Height and Luminaire
- Waste Storage Areas and Typical Screening
- Typicals for Fences and Retaining Walls
- Existing and Proposed Rights-of-Way and Easements
- Street Names and Distance to Nearest Intersecting Street
- Existing Vegetation or Tree Cover
- Tidal and Nontidal Wetlands
- Stormwater Management Facilities
- Storm Drains
- Steep Slopes
- Perennial Streams
- 100-Year Floodplain
- Notes of Prior Approvals (i.e., Application # for all prior cases)
- Current Zone Standards -Yards or Building Setbacks, Lot Area, Lot Coverage and Lot Width
- Keyed Locations of Landscape Materials
- Planting Schedules:
  - Residential Requirements
  - Commercial/Residential Landscaped Strip
  - Parking Lot Landscaped Strip
  - Perimeter Area
  - Interior Planting
  - Buffering Res from Streets
  - Bufferyard Planting
  - Planting Details and Specifications
  - Plant Substitution Notes
  - Existing Trees and Preservation Deta

**PLANNER - Statement of Justification Review:**

- Specific Special Exception Requirements - Section \_\_\_\_\_
- General Special Exception Requirements - Section 27-317
- Variances from Special Exception or Zoning Requirements - Section 27-230
- Alternative Compliance with the Landscape Manual - Section 1.3
- Certification of Non-conforming Use 27-244
- Departure from Landscape Manual Requirements - Section 27-239.01(a)(9)(A)&(B)
- Departure from Parking/Loading Design Standards - Section 27-239.01(b)(7)(A)
- Departure from Parking and Loading Spaces - Section 27-588(b)(7)
- Departure from Design Standards 27-239.01
- Departure from Sign Design Standards - Section 27-239.01(a)(9)(A)
- Special Permits 27-239.02
- Conventional Zones - Section 27-157(a)

**APPLICATION DEFICIENCIES**

---

**TECHNICIAN COMMENTS:**

- Submission received. And processed. 10/3/23
- Updated ZSM has been created for applicant & added to dropbox.

**SUPERVISOR COMMENTS: JDH 10/19/23  
SDRC**

**X SCHEDULE FOR**

**-Planning Board level  
-for reduced parking space size from 9.5 x 19 to 9 X 18 and 14 total space from the required 124.  
-no other comments**

**REVIEWER COMMENT:**

**Subdivision Section:**     No major subdivision issues. SKC 10/4/23

**Environmental Planning Section: X**

Submit a copy of a valid letter of exemption from the Woodland Conservation Ordinance.

**Geotechnical review:**         No major issues. Okay to accept. DS 10/11/2023

**Transportation Planning Section:**  OK to accept. BR 10/19/23

**Historic-Archeology Section:**         No major issues. OK to accept. AGC 10/04/2023

**Community Planning Division:**   

The subject site is in the boundary for the 2009 *Approved Takoma/Langley Crossroads Sector Plan*. The master plan recommends mixed use land use on the subject site. The 1990 Adopted Sectional Map Amendment for Planning Areas 65, 66, and 67 retained the prior C-S-C (Commercial Shopping Center) Zone for the subject site. On November 29, 2021, the District Council approved CR-136-2021, the Countywide Sectional Map Amendment ("CMA") which reclassified the subject property from C-S-C (Commercial Shopping Center) zone to LTO-C (Local Transit - Oriented - Core) effective April 1, 2022. Okay to accept. EP 10/11/2023.

**Special Projects :**

SPS has no comments for this case type

**Case Number & Name: University Place Shopping Center DDS-22005 + DPLS-22007**

**Assigned Reviewer:** \_\_\_\_\_

Please use the box to state the purpose of the application, as you want it to appear in DAMS description:  
(Note DAMS description can only hold 180 characters)

SELECT the REVIEW level

	<b>Planning Director level review</b> Posting is waived OR Posting is required?
	<b>Planning Board level review</b>

SELECT SDRC scheduling option-

	<b>YES</b> , application must be scheduled for SDRC
	<b>NO</b> , application does NOT need be scheduled for SDRC

SELECT – Business Entity Status with MD prior to preacceptance:

<https://egov.maryland.gov/businessexpress/entitysearch>

	<b>YES</b> , applicant is registered in good standing
	<b>NO</b> , applicant is NOT registered or not in good standing.

Date/Initials: \_\_\_\_\_ Ready for Pre-Acceptance. I have reviewed the sign posting map linked and agree OR have changes.

Date/Initials: \_\_\_\_\_ Items needed to complete processing

Supervisor’s Approval: \_\_\_\_\_

\_\_\_\_\_

**GIBBS and HALLER**  
ATTORNEYS AT LAW  
1300 CARAWAY COURT, SUITE 102  
LARGO, MARYLAND 20774  
(301)306-0033  
FAX (301) 306-0037  
www.gibbshaller.com

EDWARD C. GIBBS, JR.  
THOMAS H. HALLER

JUSTIN S. KORENBLATT

December 22, 2023

Crystal Habash  
M-NCPPC Development Review Division  
14741 Governor Oden Bowie Dr  
Upper Marlboro, MD 20772

Re: DDS-22005 + DPLS-22007 Comment Response Letter

Dear Crystal,

In response to the Pre-Application Comments received on October 23, 2023, please find our responses below:

**Comment #1:** Provide Zoning Sketch Map (no older than 6 months)

**Response:** Updated Zoning Sketch Maps are attached.

**Comment #2:** Submit a copy of a valid letter exemption from the Woodland Conservation Ordinance.

**Response:** Per the Environmental Planning Guidelines (Table B-1), for Zoning Applications, an NRI is not required where the proposed disturbance is less than 5,000 square feet. The project engineer was advised that where an NRI-EL is not required, a Woodland Conservation Letter of Exemption Application will not be accepted. An application for WCO-Ex was prepared (see attached) but not submitted because the proposed disturbance is less than 5,000 square feet.

If you have any questions or require additional information, please do not hesitate to contact me by phone at (301)-306-0033 or by email at [thaller@gibbshaller.com](mailto:thaller@gibbshaller.com).

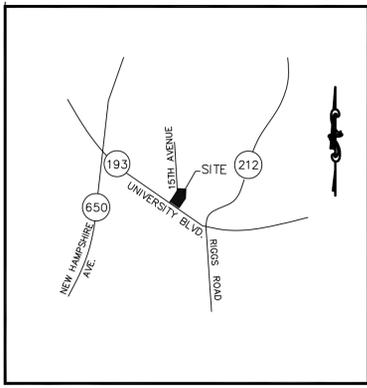
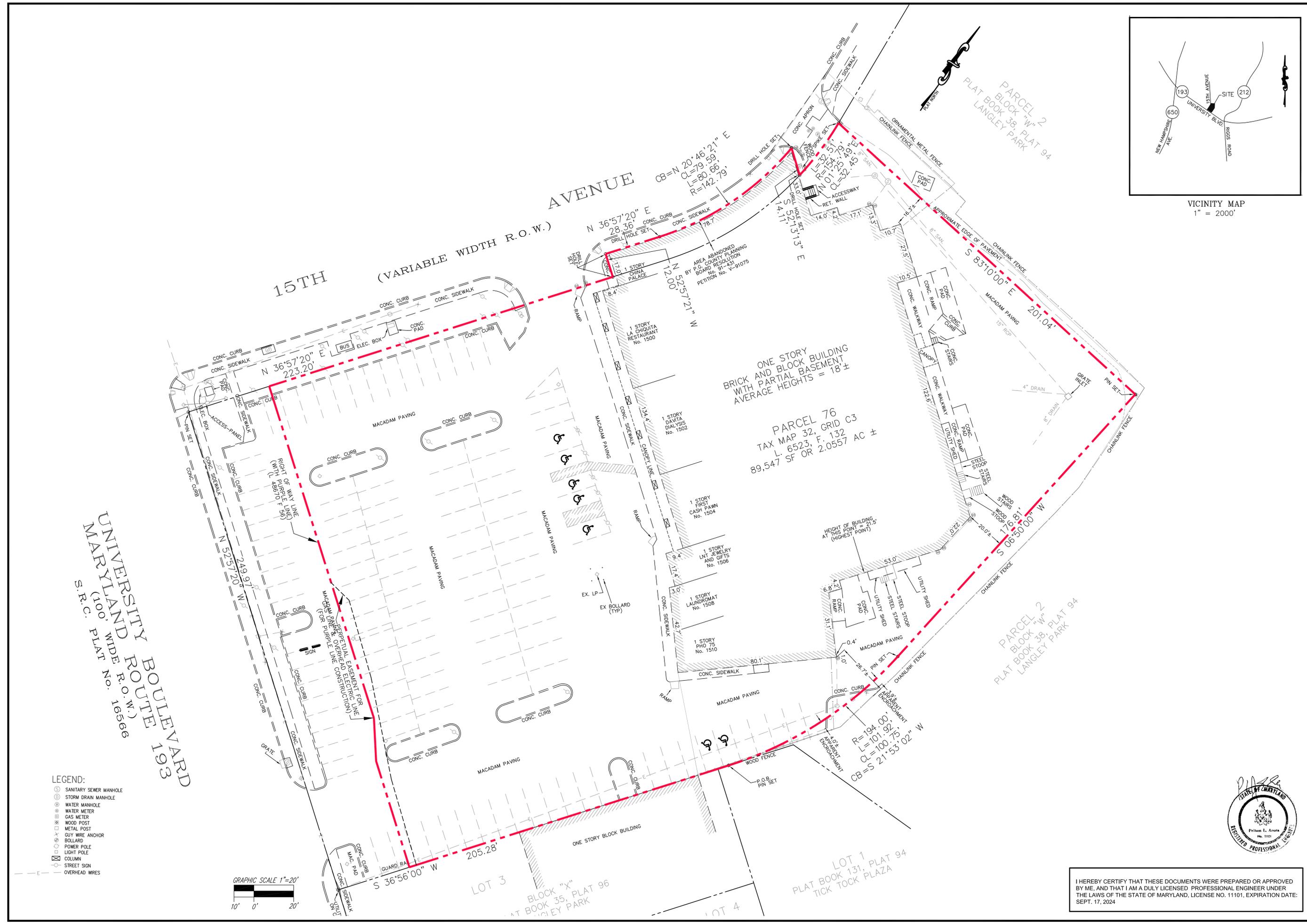
Very truly yours,

Gibbs and Haller



Thomas H. Haller

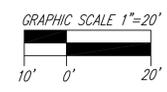




VICINITY MAP  
1" = 2000'

UNIVERSITY BOULEVARD  
MARYLAND ROUTE 193  
S.R.C. PLAT NO. 16566  
(100' WIDE R.O.W.)

- LEGEND:
- SANITARY SEWER MANHOLE
  - ⊙ STORM DRAIN MANHOLE
  - ⊙ WATER MANHOLE
  - ⊙ WATER METER
  - ⊙ GAS METER
  - ⊙ WOOD POST
  - ⊙ METAL POST
  - ⊙ GUY WIRE ANCHOR
  - ⊙ BOLLARD
  - ⊙ POWER POLE
  - ⊙ LIGHT POLE
  - ⊙ COLUMN
  - ⊙ STREET SIGN
  - ⊙ OVERHEAD WIRES



I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 11101, EXPIRATION DATE: SEPT. 17, 2024

DATE	AUG. 10, 2017				
TITLE	SURVEY PLAT				
REVISIONS	<table border="1"> <thead> <tr> <th>DATE</th> <th>DESCRIPTION</th> </tr> </thead> <tbody> <tr> <td>9/12/23</td> <td>UPDATE</td> </tr> </tbody> </table>	DATE	DESCRIPTION	9/12/23	UPDATE
DATE	DESCRIPTION				
9/12/23	UPDATE				
SHEET	1 OF 1				
DRAWN:	MKR				
DESIGNED:	-				
CHECKED:	NJR				
PROJECT NAME:	UNIVERSITY PLACE SHOPPING CENTER PARCEL 76 TAX MAP 32, GRID C3 CHILLUM DISTRICT No. 17 PRINCE GEORGE'S COUNTY, MARYLAND				
DESIGN ENGINEERING INCORPORATED	ENGINEERING PLANNING 18229-A FLOWER HILL WAY GAITHERSBURG, MARYLAND 20879 PHONE: (301) 258-1173 FAX: (301) 258-0690				

# PRIOR ZONING SKETCH MAP

APP NO: DDS-22005

EXISTING ZONE: \_\_\_\_\_

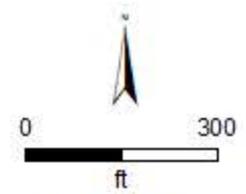
PLANNING AREA: 65

WSSC GRID: 209NE02

TAX MAP: 32

TAX GRID: C3

COUNCIL DISTRICT: 2



1 inch = 300 feet

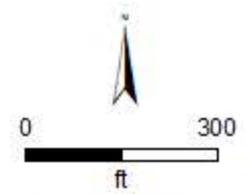


The Maryland-National Capital Park and Planning Commission  
Prince George's County Planning Department  
Geographic Information System

Created: 10/23/2023

# PRIOR ZONING SKETCH MAP

APP NO: DPLS-22007  
EXISTING ZONE: \_\_\_\_\_  
PLANNING AREA: 65  
WSSC GRID: 209NE02  
TAX MAP: 32  
TAX GRID: C3  
COUNCIL DISTRICT: 2



1 inch = 300 feet

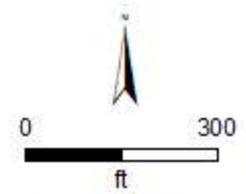
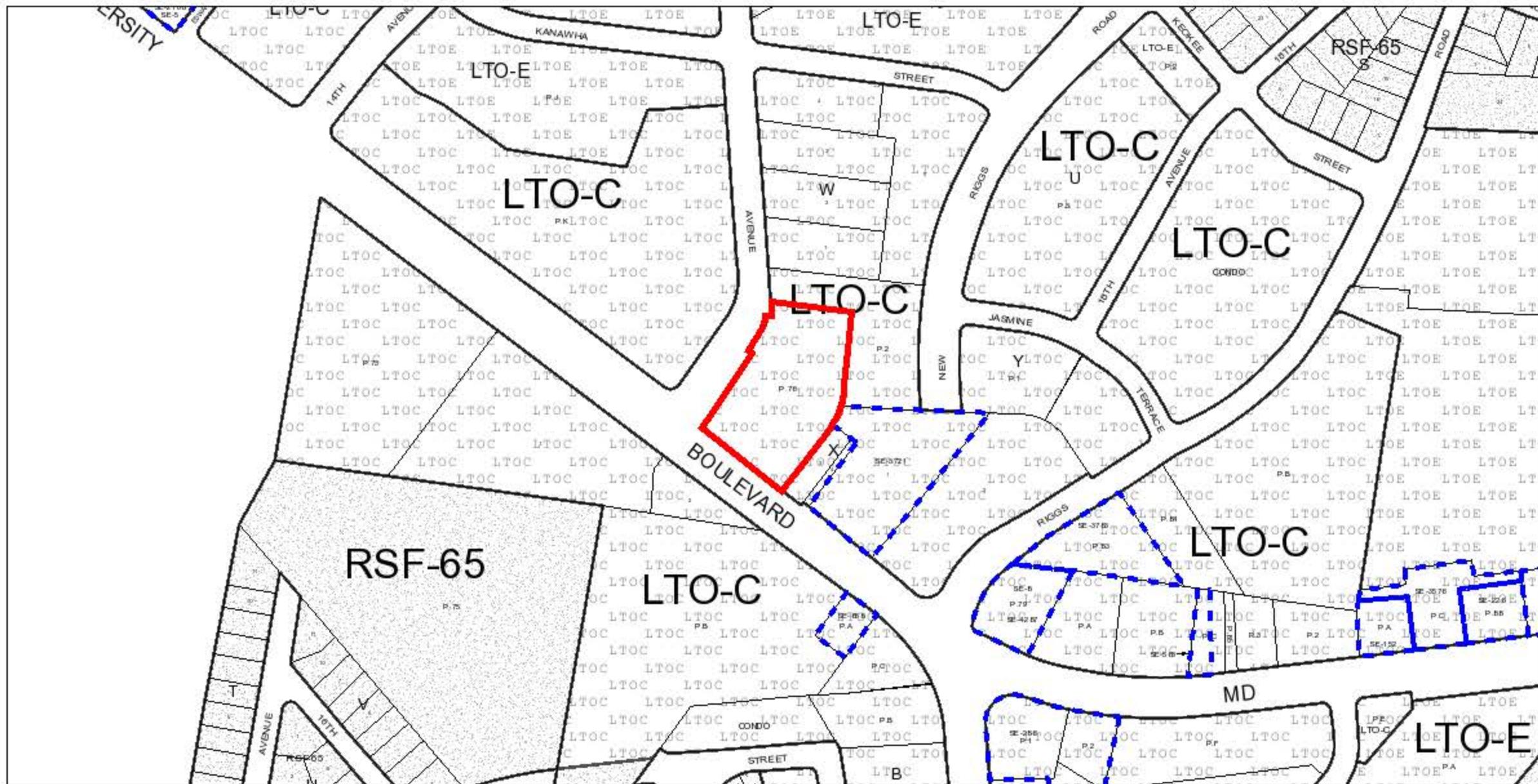


The Maryland-National Capital Park and Planning Commission  
Prince Georges County Planning Department  
Geographic Information System

Created: 10/23/2023

# ZONING SKETCH MAP

APP NO: DDS-22005  
EXISTING ZONE: \_\_\_\_\_  
PLANNING AREA: 65  
WSSC GRID: 209NE02  
TAX MAP: 32  
TAX GRID: C3  
COUNCIL DISTRICT: 2

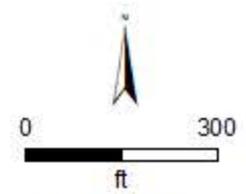


The Maryland-National Capital Park and Planning Commission  
Prince George's County Planning Department  
Geographic Information System

Created: 10/23/2023

# ZONING SKETCH MAP

APP NO: DPLS-22007  
EXISTING ZONE: \_\_\_\_\_  
PLANNING AREA: 65  
WSSC GRID: 209NE02  
TAX MAP: 32  
TAX GRID: C3  
COUNCIL DISTRICT: 2



1 inch = 300 feet



The Maryland-National Capital Park and Planning Commission  
Prince George's County Planning Department  
Geographic Information System

Created: 10/23/2023

**APPLICATION FOR WOODLAND CONSERVATION LETTER OF EXEMPTION (WCO-Ex)**

**APPLICANT TO FILL OUT THIS SECTION - Refer to [www.PGAtlas.com](http://www.PGAtlas.com) for Information**  
 HOVER OVER BLANK FIELDS FOR ADDITIONAL INFORMATION

<b>Property Owner</b> Name, Address, and Contact Info:	<b>Agent/Contact</b> Name, Company, Address, Phone & E-mail:
--	--

<b>Payment by check, money order, or cashier's check ONLY – made payable to M-NCPPC</b> Please indicate name of project, address, or other identifying information on payment. <i>Do not staple payment.</i>	<b>Agent/Contact</b>
Name on Check: _____ Check No. _____	Signature: _____
<b>APPLICATION FEE - \$50.00</b> Gov't Projects - Fee Waived	Date: _____

**PROJECT/PROPERTY NAME:**

Street Address (if available), *otherwise* Geographic Location in relation to nearest major road intersection:

Companion Case(s) and/or Resolution(s) - Preliminary Plan, Site Plan, Special Exception, etc.:

Total Area (acres): _____	Tax Account #(s): _____	
Total Number of Lots _____ and/or Parcels: _____	Current Zone(s): _____	WSSC Grid: _____
Lot/Block/Parcel(s): _____	Proposed Woodland Clearing (ft <sup>2</sup> ): _____	Environmental Strategy Area (ESA): <small>Located under the Environmental heading in PGAtlas</small> <b>1    2    3    4</b>
Proposed Activity: _____		

**SITE PLAN:** \_\_\_\_\_ Preparer Qualifications: \_\_\_\_\_

Date: \_\_\_\_\_ Prepared by: \_\_\_\_\_ Firm: \_\_\_\_\_ ID #: \_\_\_\_\_

**RESPONSE (TO BE COMPLETED BY EPS STAFF)**

<b>APPROVAL TYPE:</b>	Numbered Exemption	Standard Exemption	<b>Exemption Number:</b>
Staff Reviewer: _____	Receipt Number: _____	Filing Fee: _____	

Your request for a **Standard Letter of Exemption** from the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO) is hereby **approved**. This Standard Letter of Exemption is issued because the property has no previous TCP approvals and:

- Is less than 40,000 square feet in size; and/or
- Contains less than 10,000 square feet of woodland; or
- The project is subject to the Maryland Forest Conservation Act and will be reviewed by Department of Natural Resources

Your request for a **Numbered Letter of Exemption** from the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO) is hereby **approved**. This Letter of Exemption is issued because the site is over 40,000 square feet in size and contains over 10,000 square feet of woodland; however the project has no previous TCP approvals and:

- Results in the clearing of less than 5,000 square feet of woodland. Proposed clearing is \_\_\_\_\_ ft<sup>2</sup>. *If application is for a Revision*, cumulative clearing to date (not including currently proposed) is \_\_\_\_\_ ft<sup>2</sup>.
- The activity is a government or linear project that results in the clearing of less than 20,000 square feet of woodland. Proposed clearing is \_\_\_\_\_ ft<sup>2</sup>. *Revisions*: cumulative clearing to date (not including currently proposed) is \_\_\_\_\_ ft<sup>2</sup>; or
- The proposed activity is for a timber harvest.

**This letter is valid for two years from the date of approval, or until such time as the cumulative woodland clearing exceeds the maximum amount specified above. If a development review application (preliminary plan, detailed site plan, etc.) is required, a Numbered Exemption may be considered invalid in accordance with Section 25-119(b)(5)(A). A copy of this letter must be submitted at the time of development activity or permit application.**

Staff Signature Approval: _____	Approval Date: _____
	Expiration Date: _____

**GIBBS and HALLER**  
ATTORNEYS AT LAW  
1300 CARAWAY COURT, SUITE 102  
LARGO, MARYLAND 20774  
(301)306-0033  
FAX (301) 306-0037  
www.gibbshaller.com

EDWARD C. GIBBS, JR.  
THOMAS H. HALLER

JUSTIN S. KORENBLATT

April 11, 2024

Todd Price  
Planner II; Zoning Section  
1616 McCormick Drive  
Largo, MD 20774

Re: DDS-22005 and DPLS-22007  
University Place Shopping Center

Dear Todd:

Please accept the following point by point responses to the SDRC Comments we received regarding the referenced applications on January 19, 2024.

- **URBAN DESIGN COMMENTS/Major Issues**
  1. **Landscape Manual Table 4.3-1 shows parking lot area between 7,000-49,999 sq. ft. to provide 8% of interior planting area. Striped areas may need to be converted to planting areas.**

**RESPONSE:** The site was constructed prior to the adoption of the Landscape Manual. Section 1.1(b) of the Landscape Manual provides that "existing conditions on developed sites not in conformance with the requirements of this manual that were otherwise lawful on December 13, 2010, and not the subject of any building or grading permit may continue as a matter of right." In this case, no modifications are proposed which will trigger a building permit. Landscape islands are being added to bring the interior landscaping back up to the 5% that previously existed, as landscaping was removed by the Purple Line and some of the remaining islands did not align with the new striping. However, the LOD has been kept below 5,000 square feet. As a result, pursuant to Section 32-127(a)(6)(A) of the Grading Code, no grading permit is required. Show proposed handicap ramp: the location of the existing ramps is shown on the site plan and additional ramps are not needed or proposed.

2. **Replace Landscape Development Statistics chart with Landscape Manual schedules (page 50). Identify landscape strip location (western property line, 15th Avenue, etc.).**

**RESPONSE:** Since the property is exempt from the requirements of the Landscape Manual, the previously approved Landscape Development Statistics provided on prior plans is still shown but is updated to reflect the new area of the parking compound and green area.

3. **Show boundary for calculating interior parking landscape area.**

**RESPONSE:** The boundary has been added to the plan.

4. **Dimension width between existing ornamental metal fence and curb. Fence may need to be removed to accommodate ADA access. No bollards should hinder HC access.**

**RESPONSE:** The dimensions are shown and the fence is being removed. HC has been moved 1 foot such that no bollard is obstructing the HC Parking or Access.

- **URBAN DESIGN COMMENTS/Major Issues**

1. **Identify on title block of each set of drawings whether it is DDS-22005 or DPLS-22007.**

**RESPONSE:** Two sets of drawing are provided as required sit the DDS or DPLS number.

2. **Show ADA ramps at proposed HC parking access. Curb at shopping center is not flush.**

**RESPONSE:** The plan has been revised to show the ADA ramp.

3. **Show existing ADA ramp at existing crosswalk.**

**RESPONSE:** The plan is revised to show the ADA ramp.

4. **Dimension drive aisle width at HC parking.**

**RESPONSE:** The driveway aisle width at the HC parking is dimensioned on the revised plan.

**5. Dimension width of existing sidewalk along store frontages.**

**RESPONSE:** The width of the existing sidewalk along the store frontages has been dimensioned on the revised plan.

**6. Label loading spaces.**

**RESPONSE:** The loading spaces are labeled on the revised plan.

**7. Dimension landscape island widths.**

**RESPONSE:** The width of the landscape islands has been dimensioned on the revised plan.

**8. Interior landscape area adjacent to 13' wide one-way drive aisle should be defined by curb.**

**RESPONSE:** Curbing has been added adjacent to the 13' wide one-way aisle.

**9. Show site Legend on the plan.**

**RESPONSE:** The site Legend has been added to the plan.

**10. Add percentage of parking space reduction to parking schedule.**

**RESPONSE:** The plan has been revised to show that the parking space reduction is 14% of the total number of spaces required.

**11. Indicate dumpster locations.**

**RESPONSE:** The dumpster locations have been added to the plan.

**12. Confirm sufficient lighting for parking lot. Indicate number of light poles.**

**RESPONSE:** A note has been added indicating that 10 light poles are provided in the front parking field. The applicant is preparing a photometric plan to demonstrate that the lighting is adequate. The photometric plan will be provided prior to certification of the plans.

**13. Confirm if any EV parking is proposed. If so, show on the plan and provide details. If not, give reason for not providing.**

**RESPONSE:** No EV parking spaces currently exist and none are proposed. Due to the reduction in the number of parking spaces, allocating spaces for EV parking is not being considered at this time.

**14. Any bike racks proposed?**

**RESPONSE:** No bike racks currently exist and none are proposed.

Please let me know if there are any questions.

• **TRANSPORTATION PLANNING REVIEW COMMENTS**

- 1. Clarify the number of parking spaces provided with the new configuration and identify the correct number of spaces requested in the departure. Ensure the correct number of parking spaces are conveyed in the plans.**

**RESPONSE:** A total of 107 parking spaces are provided with the proposed configuration. A total of 124 parking spaces are required. The requested departure of 17 parking spaces represents a reduction of 14% of total required.

- 2. Clarify how the access point on University Boulevard will interact with the Purple Line.**

**RESPONSE:** A copy of the Purple Line Plan is attached. The University Place Shopping Center is just east of the proposed Riggs Road Station. The University Boulevard Stations will be center median stations. Thus, access to the property by vehicles is maintained along University Boulevard, although access has been shifted to the north to make room for the tracks in the median of the roadway.

- 3. Identify the pedestrian circulation on site including all associated crosswalks.**

**RESPONSE:** Pedestrian access from 15<sup>th</sup> Avenue will be provided through the existing sidewalks which access the sidewalk in front of the stores. The parking lot layout is generally consistent with the prior approved plan. The driveway aisles are generally wider than normally required to allow sufficient room for pedestrian access to the stores. Striping pedestrian circulation pathways

within the designated driveway aisles is not considered desirable.

**4. Provide signage for front end parking on middle one-way drive aisle.**

**RESPONSE:** Signage has been added to the site plan for front end parking.

**5. Provide signage for no pull-through parking for the first parking aisle of 7 and 8 spaces.**

**RESPONSE:** Signage has been provided with wheel stops to prohibit pull-through parking for the first parking aisles of 7 and 8 spaces.

**6. Provide "Do Not Enter" signage for the rear of the building.**

**RESPONSE:** "Do Not Enter" signage has been added for the rear of the building.

Please let me know if there are any questions regarding the regarding the revised plans or our responses to the SDRC Comments.

Very truly yours,

GIBBS AND HALLER

A handwritten signature in blue ink, appearing to read 'T. Haller', with a long horizontal flourish extending to the right.

Thomas H. Haller

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EDWARD C. GIBBS, JR.  
THOMAS H. HALLER

JUSTIN S. KORENBLATT

April 11, 2024

Todd Price  
Planner II; Zoning Section  
1616 McCormick Drive  
Largo, MD 20774

Re: DDS-22005 and DPLS-22007  
University Place Shopping Center

Dear Todd:

Please accept the following point by point responses to the SDRC Comments we received regarding the referenced applications on January 19, 2024.

- **URBAN DESIGN COMMENTS/Major Issues**
  1. **Landscape Manual Table 4.3-1 shows parking lot area between 7,000-49,999 sq. ft. to provide 8% of interior planting area. Striped areas may need to be converted to planting areas.**

**RESPONSE:** The site was constructed prior to the adoption of the Landscape Manual. Section 1.1(b) of the Landscape Manual provides that "existing conditions on developed sites not in conformance with the requirements of this manual that were otherwise lawful on December 13, 2010, and not the subject of any building or grading permit may continue as a matter of right." In this case, no modifications are proposed which will trigger a building permit. Landscape islands are being added to bring the interior landscaping back up to the 5% that previously existed, as landscaping was removed by the Purple Line and some of the remaining islands did not align with the new striping. However, the LOD has been kept below 5,000 square feet. As a result, pursuant to Section 32-127(a)(6)(A) of the Grading Code, no grading permit is required. Show proposed handicap ramp: the location of the existing ramps is shown on the site plan and additional ramps are not needed or proposed.

2. **Replace Landscape Development Statistics chart with Landscape Manual schedules (page 50). Identify landscape strip location (western property line, 15th Avenue, etc.).**

**RESPONSE:** Since the property is exempt from the requirements of the Landscape Manual, the previously approved Landscape Development Statistics provided on prior plans is still shown but is updated to reflect the new area of the parking compound and green area.

3. **Show boundary for calculating interior parking landscape area.**

**RESPONSE:** The boundary has been added to the plan.

4. **Dimension width between existing ornamental metal fence and curb. Fence may need to be removed to accommodate ADA access. No bollards should hinder HC access.**

**RESPONSE:** The dimensions are shown and the fence is being removed. HC has been moved 1 foot such that no bollard is obstructing the HC Parking or Access.

- **URBAN DESIGN COMMENTS/Major Issues**

1. **Identify on title block of each set of drawings whether it is DDS-22005 or DPLS-22007.**

**RESPONSE:** Two sets of drawing are provided as required sit the DDS or DPLS number.

2. **Show ADA ramps at proposed HC parking access. Curb at shopping center is not flush.**

**RESPONSE:** The plan has been revised to show the ADA ramp.

3. **Show existing ADA ramp at existing crosswalk.**

**RESPONSE:** The plan is revised to show the ADA ramp.

4. **Dimension drive aisle width at HC parking.**

**RESPONSE:** The driveway aisle width at the HC parking is dimensioned on the revised plan.

**5. Dimension width of existing sidewalk along store frontages.**

**RESPONSE:** The width of the existing sidewalk along the store frontages has been dimensioned on the revised plan.

**6. Label loading spaces.**

**RESPONSE:** The loading spaces are labeled on the revised plan.

**7. Dimension landscape island widths.**

**RESPONSE:** The width of the landscape islands has been dimensioned on the revised plan.

**8. Interior landscape area adjacent to 13' wide one-way drive aisle should be defined by curb.**

**RESPONSE:** Curbing has been added adjacent to the 13' wide one-way aisle.

**9. Show site Legend on the plan.**

**RESPONSE:** The site Legend has been added to the plan.

**10. Add percentage of parking space reduction to parking schedule.**

**RESPONSE:** The plan has been revised to show that the parking space reduction is 14% of the total number of spaces required.

**11. Indicate dumpster locations.**

**RESPONSE:** The dumpster locations have been added to the plan.

**12. Confirm sufficient lighting for parking lot. Indicate number of light poles.**

**RESPONSE:** A note has been added indicating that 10 light poles are provided in the front parking field. The applicant is preparing a photometric plan to demonstrate that the lighting is adequate. The photometric plan will be provided prior to certification of the plans.

**13. Confirm if any EV parking is proposed. If so, show on the plan and provide details. If not, give reason for not providing.**

**RESPONSE:** No EV parking spaces currently exist and none are proposed. Due to the reduction in the number of parking spaces, allocating spaces for EV parking is not being considered at this time.

**14. Any bike racks proposed?**

**RESPONSE:** No bike racks currently exist and none are proposed.

Please let me know if there are any questions.

• **TRANSPORTATION PLANNING REVIEW COMMENTS**

- 1. Clarify the number of parking spaces provided with the new configuration and identify the correct number of spaces requested in the departure. Ensure the correct number of parking spaces are conveyed in the plans.**

**RESPONSE:** A total of 107 parking spaces are provided with the proposed configuration. A total of 124 parking spaces are required. The requested departure of 17 parking spaces represents a reduction of 14% of total required.

- 2. Clarify how the access point on University Boulevard will interact with the Purple Line.**

**RESPONSE:** A copy of the Purple Line Plan is attached. The University Place Shopping Center is just east of the proposed Riggs Road Station. The University Boulevard Stations will be center median stations. Thus, access to the property by vehicles is maintained along University Boulevard, although access has been shifted to the north to make room for the tracks in the median of the roadway.

- 3. Identify the pedestrian circulation on site including all associated crosswalks.**

**RESPONSE:** Pedestrian access from 15<sup>th</sup> Avenue will be provided through the existing sidewalks which access the sidewalk in front of the stores. The parking lot layout is generally consistent with the prior approved plan. The driveway aisles are generally wider than normally required to allow sufficient room for pedestrian access to the stores. Striping pedestrian circulation pathways

within the designated driveway aisles is not considered desirable.

**4. Provide signage for front end parking on middle one-way drive aisle.**

**RESPONSE:** Signage has been added to the site plan for front end parking.

**5. Provide signage for no pull-through parking for the first parking aisle of 7 and 8 spaces.**

**RESPONSE:** Signage has been provided with wheel stops to prohibit pull-through parking for the first parking aisles of 7 and 8 spaces.

**6. Provide "Do Not Enter" signage for the rear of the building.**

**RESPONSE:** "Do Not Enter" signage has been added for the rear of the building.

Please let me know if there are any questions regarding the regarding the revised plans or our responses to the SDRC Comments.

Very truly yours,

GIBBS AND HALLER

A handwritten signature in blue ink, appearing to read 'T. Haller', with a long horizontal flourish extending to the right.

Thomas H. Haller

**STATEMENT OF JUSTIFICATION  
DEPARTURE FROM DESIGN STANDARDS  
DDS-22005  
UNIVERSITY PLACE SHOPPING CENTER  
August 15, 2023  
Revised November 30, 2023  
Revised January 24, 2024**

**APPLICANT**

University Place Center, LLC  
RB-UP LLC  
15942 Shady Grove Road  
Gaithersburg, MD 20877  
Contact: Robert Begelman  
(301) 873-4002

**ATTORNEY**

Gibbs and Haller  
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**ENGINEER**

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## **1.0 INTRODUCTION/OVERVIEW**

The applicant for this Departure from Design Standards is University Place Center, LLC ("Applicant"). The Applicant is also the majority owner of the property which is the subject of this application, known as the University Place Shopping Center. A companion Departure from the Number of Parking and Loading Standards, referenced as DPLS-22007 has also been filed and will be processed concurrently with this application.

The property which is the subject of this application is located at 1500 University Boulevard, Hyattsville, Maryland 20783. The property may be more particularly described as Parcel 76 on Tax Map 32, Grid C-3 (the "Subject Property"). As will be described in greater detail below, the purpose of these companion applications is to permit the Applicant to reconfigure an existing parking lot serving the shopping center as the result of a taking of land by the Maryland Department of Transportation ("MDOT") to construct the Purple Line along University Boulevard. This taking reduced the size of the parking lot such that the property no longer has the minimum number of parking spaces required. If approved, these applications will allow the Applicant to modify the parking lot and increase the number of parking spaces which currently exist. Doing so will allow the Applicant to provide enough spaces to meet the needs of the

existing and future tenants and to create a layout that provides safe and adequate circulation.

## **2.0 SUBJECT PROPERTY**

The Subject Property is in the northeast corner of the intersection of University Boulevard and 15th Avenue. The Subject Property is currently zoned LTO-c but was zoned C-S-C under the prior Zoning Ordinance. The Subject Property is improved with a shopping center containing a total of 29,090 square feet, originally constructed in or about 1959. The Subject Property is fully leased to five tenants—two eating and drinking establishments, a pawnshop, a laundromat/hair salon and a dialysis center. Parking is provided based upon the requirements for an integrated shopping center, with the exception of the dialysis center. The dialysis center is parked as a medical clinic because it exceeds 20% of the gross leasable area of the shopping center. The required parking is 124 parking spaces. Prior to the taking by MDOT, the shopping center had a total of 125 parking spaces.

## **3.0 JUSTIFICATION FOR FILING APPLICATION PURSUANT TO OLD ZONING ORDINANCE**

The Zoning Ordinance which went into effect on April 1, 2022 permits applications to be filed pursuant to the provisions of the prior Zoning Ordinance. The Applicant submits this application pursuant to the provisions of the prior Zoning

Ordinance. Section 27-1904(b) requires that a Justification Statement be included with any application filed under the provisions of the prior Zoning Ordinance. The attorney for the Applicant explored the feasibility of addressing the parking issue under the current Zoning Ordinance since in the LTO-c Zone, no minimum parking is required and a DPLS would not have been necessary. However, transitioning to the new Zoning Ordinance would have triggered use issues and any future modification to the building would have triggered requirements that the site cannot meet. After extensive discussion with Deputy Director Derick Berlage, it was agreed that proceeding under the provisions of the prior Zoning Ordinance was the best course of action in this instance.

#### **4.0 DEVELOPMENT HISTORY OF PROPERTY**

As noted above, the existing shopping center was constructed in or around 1959. In December 1986, the property was conveyed to N'Eyesh Properties. This entity ultimately became University Place Center, LLC, the Applicant. Thus, the Applicant has owned the property for over 36 years. Despite its age, the property has been well maintained and 100% occupied. It is located in a highly populated area and many of the customers of the center arrive on foot. After the Subject Property was developed, changes in development regulations which occurred over the years caused the existing improvements to no longer comply with all the

requirements of the Zoning Ordinance. As a result, the Applicant sought and obtained variances to bring the existing improvements in conformance with current requirements.

**NOTE:** The following variances were heard and approved by the Board of Zoning Appeals on 9-14-1988, 3-22-1989 and 4-5-1989. (BZA Case No. 9498.)

<u>Section of Ordinance</u>	<u>Requirement Summarized</u>	<u>Extent of Variance</u>
27.450(a)(1)	10' landscape strip	10'
27.450(a)(2)	½ of yards landscaped and screening	full
27.462(b)	building setbacks: 10' from street; 25' rear; 12' side	full
27.462(b)	street deemed to be 70' wide	existing r.o.w. to suffice

In addition to the variances listed above, an addition was constructed onto the shopping center prior to 1965 that encroached into the right of way for 15<sup>th</sup> Avenue. To validate this encroachment, the Applicant filed Vacation Petition No. V-91075 to vacate a portion of the right of way to allow this addition to remain. That Petition to Vacate the right of way of 15<sup>th</sup> Avenue was approved by the Prince George's County Planning Board pursuant to Prince George's County Planning Board Resolution No. 91-431.

It is also noted that the existing improvements were constructed prior to the adoption of the Landscape Manual. As a result, the site plan contains a chart entitled "Landscape Development Statistics" which conforms to the requirements which pre-date the Landscape Manual. Specifically, the parking lot provided 5% interior green area under prior approvals. Prior to the SHA taking the parking lot contained a total of 46,170 square feet, requiring 2,309 square feet of interior green area. A total of 2,709 square feet was provided. After the taking by the State Highway Administration, the area of the parking lot is now reduced to 38,430 square feet, reducing the required green area to 1,947 square feet. In order to improve the efficiency of the parking lot, some of the landscape islands are being relocated, but the total interior green area provided is 2,258 square feet, which exceeds the minimum 5% previously required and provided.

During SDRC review, a question was raised as to the percentage of interior green area required. Pursuant to Section 4.3.1 of the Landscape Manual, parking lots with an area between 7,000-49,999 sq. ft. are required to provide 8% of interior planting area. However, Section 1.1 of the Landscape Manual addresses applicability. Section 1.1(b) provides that "existing conditions on developed sites not in conformance with the requirements of this manual that were otherwise lawful on December 13, 2010, and not the subject of any building or grading

permit may continue as a matter of right.” In this case, the Applicant is not doing anything that will trigger a building permit. While landscaping islands are provided to ensure that the interior landscaping satisfies the 5% of interior green area that previously existed after the Purple Line taking, the limit of disturbance has been kept below 5,000 square feet. As a result, pursuant to Section 32-127(a)(6)(A) of the Grading Code, no grading permit is required.

In addition to Section 1.1, there are other provisions which exempt existing parking lots from the application of section 4.3.

- Section 1.1(d) provides that building permits which do not involve an increase in impervious surface and do not involve an increase of GFA are exempt from Section 4.3. As noted, the Applicant will not need a building permit to implement the proposed revisions and thus there is no increase in impervious area.
- Section 1.1(g)(1) provides that “Permits for any building renovation, expansion or change of use that does not necessitate an increase in the number of parking or loading spaces beyond the number currently existing” are exempt from Section 4.3. The Applicant proposes no changes that necessitate an increase in the number of parking spaces. In fact, the companion Departure from Parking and Loading Standards is submitted to allow the project to operate with

fewer parking spaces than existed previously. Section 1.1(g)(1) further states that site renovations that result in the creation of additional impervious area do require the entire parking facility associated with the property to be subject to Section 4.3, but new impervious area is not being created by this proposal.

- Section 1.1g)(4) provides that "restriping of an existing parking compound whether or not it results in an increase in the number of parking spaces when no new impervious area is created" is also exempt from Section 4.3. The taking by the Purple Line makes the existing configuration of the parking lot unworkable. The proposed restriping will recoup as many spaces as possible by reconfiguring drive aisles to be more efficient. As noted above, while any green area lost by the taking is being restored to the 5% that existed previously, this does not result in an increase in impervious area.

Based on the above, the Applicant submits that the proposed modifications are exempt from the Landscape Manual.

## **5.0 DEVELOPMENT PROPOSAL**

As noted above, the Subject Property has been impacted by the construction of the Purple Line, which extends along the north side of University Boulevard. In fact, the State Highway Administration has now acquired 10,335 square feet of the Subject Property, roughly taking 40 feet of land measured from the prior

right-of-way line. The taking of this land removes over 40 parking spaces, which will reduce the parking below what the Applicant believes is necessary to support the existing and future tenants. Thus, the Applicant is seeking to restripe the parking lot reconfigure the front parking field to recoup as many spaces as possible. To do this, two applications will be required. First, the Applicant is seeking to utilize 9' X 18' parking spaces rather than 9.5' X 19' parking spaces to provide a few more spaces and provide more room for driveway aisles. Second, the Applicant will only be able to provide a total of 107 parking spaces following the reconfiguration, which is still less than the minimum required. Thus, a Departure from the Number of Parking and Loading Spaces of 17 spaces will be required.

SHA has recently begun mobilizing for construction and the impact of this activity on the availability of parking accentuates the need for the Applicant needs to obtain approval of a new site plan and to be in a position to obtain a new use and occupancy permit if a tenant leaves.

#### **SUMMARY OF REQUIRED DEPARTURE**

The regulations governing the design of off-street parking and loading spaces are set forth in Part 11 of the Prince George's County Zoning Ordinance. Section 27-558(a) governs the size of parking spaces. This Section provides that nonparallel standard car spaces shall measure 19' x 9½' and permits up to

one-third of the required spaces to be compact car spaces measuring 8' x 16½'. By reconfiguring the remaining parking lot, the applicant is providing 107 parking spaces, with 77 spaces measuring 18' x 9', 25 compact space and 5 handicapped spaces.

It is noted that under the provisions of the current Zoning Ordinance, the standard size of a parking space is now 9' X'18'. Since this application is filed pursuant to the provisions of the former Zoning Ordinance, where the standard parking space size is 9.5' X 19 feet, this departure is required. The Applicant submits that there is ample justification for modifying the size of the parking spaces provided on site.

Maximizing the number of parking spaces within the remaining paved area is critical to satisfying the parking needs of the shopping center. The parking space size of 9' X 18' has been adopted by many local jurisdictions, including Montgomery and Prince George's County. The modest reduction in the depth and width of the spaces from the standard in the former Zoning Ordinance allows for adequate aisle widths to be provided and allows for a few additional parking spaces over that which could be achieved without the departure.

#### **CRITERIA FOR APPROVAL**

The criteria for approval of a Departure from Design Standards are set forth in Section 27-239.01(b)(7)(A). For the

Planning Board to grant a departure, it shall make the following findings:

**(1) The purposes of this Subtitle will be equally well or better served by the applicant's proposal;**

The purposes of Part 11 of the Zoning Ordinance addressing Parking and Loading are found in Section 27-550. For parking, the primary purpose is to ensure that all buildings and uses provide off street parking which is "...sufficient to serve the parking and loading needs of all persons associated with the buildings and uses." The applicant submits that the purposes of the parking and loading regulations will be equally well or better served by the proposed site plan.

The applicant is proposing that all parking spaces, except for compact spaces and the spaces provided for the physically handicapped, be 9' x 18'. Section 27-558(a) requires that standard nonparallel parking spaces measure 9½' x 19' while nonparallel compact car spaces must be 16½' x 8'. The difference between the required standard car space measurement and the 9' x 18' space the applicant is proposing is insignificant as they provide ample room for vehicles to park safely on site and are a common space size in the region. Reducing the parking space size is critical, however, to maximize the number of parking spaces on site and providing driveway aisle widths that meet the requirements of the Zoning Ordinance. This creates a more

efficient and functional parking layout and will serve the purposes of the subtitle equally well.

**(2) The departure is the minimum necessary, given the specific circumstances of the request;**

The departure from Section 27-558(a) sought by the applicant for its proposed 9' x 18' parking spaces is the minimum necessary given the specific circumstances of this request. As noted above, the reduction in the size of the parking lot requires the remaining parking area to be reconfigured. There is no other place on the Subject Property to add additional property and maximizing the available space can be accomplished by a small reduction in the parking space size. This will allow the reconfigured parking lot to operate efficiently without reducing the parking space size below that which is functional.

**(iii) The departure is necessary in order to alleviate circumstances which are unique to this site or prevalent in areas of the County developed prior to November 29, 1949;**

As discussed under the development history of the Subject Property, the existing buildings were constructed in 1959. However, the departure is necessary to alleviate circumstances unique to the site, as it is one of the properties impacted by takings needed to construct the Purple Line. The reduction in the area of the parking lot requires a reconfiguration and since that reconfiguration cannot reclaim all of the parking which

previously existed, the Applicant seeks to maximize the number of spaces while still creating a fully safe and functional parking lot. Allowing a modest reduction in the width and length of the standard size spaces to the standard contained in the new Zoning Ordinance is necessary to alleviating the impact of the Purple Line taking.

**(iv) The departure will not impair the visual, functional, or environmental quality or integrity of the site or of the surrounding neighborhood;**

The applicant submits that the requested departure will not impair the visual, functional, or environmental quality or integrity of the site or of the surrounding neighborhood. The Subject Property has operated for over 60 years with a parking field between the building and University Boulevard. The reconfiguration of the parking area is required as a result of the Purple Line taking. Maximizing the number of spaces which can be provided will not in any way impair the visual integrity of the site or the functional quality or integrity of the site. The restriping of the parking lot, relocation of a few landscape islands and replanting of trees and shrubs which have died over the years will, in fact, improve the visual and environmental quality and integrity of the site and the surrounding neighborhood.

The departure from Section 27-558(a) will allow the site to provide adequately sized spaces and driveway aisles to

accommodate all types of vehicles visiting the site.

**CONCLUSION**

Based on all the foregoing reasons, the applicant respectfully requests approval of the requested departure.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'THH', is enclosed in a rectangular box.

---

Thomas H. Haller  
GIBBS AND HALLER  
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(301) 306-0033

*S:\University Place\ DDS Justification Statement.wpd*

**STATEMENT OF JUSTIFICATION  
DEPARTURE FROM DESIGN STANDARDS  
DPLS-22007  
UNIVERSITY PLACE SHOPPING CENTER  
AUGUST 15, 2023  
REVISED JANUARY 24, 2024**

**APPLICANT**

University Place Center, LLC  
RB-UP LLC  
15942 Shady Grove Road  
Gaithersburg, MD 20877  
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(301) 873-4002

**ATTORNEY**

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## **1.0 INTRODUCTION/OVERVIEW**

The applicant for this Departure from Design Standards is University Place Center, LLC ("Applicant"). The Applicant is also the majority owner of the property which is the subject of this application, known as the University Place Shopping Center. A companion Departure from Design Standards, referenced as DDS-22005, has also been filed and will be processed concurrently with this application.

The property which is the subject of this application is located at 1500 University Boulevard, Hyattsville, Maryland 20783. The property may be more particularly described as Parcel 76 on Tax Map 32, Grid C-3 (the "Subject Property"). As will be described in greater detail below, the purpose of these companion applications is to permit the Applicant to reconfigure an existing parking lot serving the shopping center as the result of a taking of land by the Maryland Department of Transportation ("MDOT") to construct the Purple Line along University Boulevard. This taking reduced the size of the parking lot such that the property no longer has the minimum number of parking spaces required. If approved, these applications will allow the Applicant to modify the parking lot and maximize the number of spaces within the remaining parking lot. Doing so will allow the Applicant to provide enough spaces to meet the needs of the

existing and future tenants and to create a layout that provides safe and adequate circulation.

## **2.0 SUBJECT PROPERTY**

The Subject Property is in the northeast corner of the intersection of University Boulevard and 15th Avenue. The Subject Property is currently zoned LTO-c but was zoned C-S-C under the prior Zoning Ordinance. The Subject Property is improved with a shopping center containing a total of 29,090 square feet, originally constructed in or about 1959. The Subject Property is fully leased to five tenants—two eating and drinking establishments, a pawnshop, a laundromat/hair salon and a dialysis center. Parking is provided based upon the requirements for an integrated shopping center, with the exception of the dialysis center. The dialysis center is parked as a medical clinic because it exceeds 20% of the gross leasable area of the shopping center. The required parking is 124 parking spaces. Prior to the taking by MDOT, the shopping center had a total of 125 parking spaces.

## **3.0 JUSTIFICATION FOR FILING APPLICATION PURSUANT TO OLD ZONING ORDINANCE**

The Zoning Ordinance which went into effect on April 1, 2022 permits applications to be filed pursuant to the provisions of the prior Zoning Ordinance. The Applicant submits this application pursuant to the provisions of the prior Zoning

Ordinance. Section 27-1904(b) requires that a Justification Statement be included with any application filed under the provisions of the prior Zoning Ordinance. The attorney for the Applicant explored the feasibility of addressing the parking issue under the current Zoning Ordinance since in the LTO-c Zone, no minimum parking is required and a DPLS would not have been necessary. However, transitioning to the new Zoning Ordinance would have triggered use issues and any future modification to the building would have triggered requirements that the site cannot meet. After extensive discussion with Deputy Director Derick Berlage, it was agreed that proceeding under the provisions of the prior Zoning Ordinance was the best course of action in this instance.

#### **4.0 DEVELOPMENT HISTORY OF PROPERTY**

As noted above, the existing shopping center was constructed in or around 1959. In December 1986, the property was conveyed to N'Eyesh Properties. This entity ultimately became University Place Center, LLC, the Applicant. Thus, the Applicant has owned the property for over 36 years and is intimately familiar with the operation of the center, the needs of the existing tenants and the number of parking spaces which will be needed to serve the needs of the tenants. Despite its age, the property has been well maintained and 100% occupied. It is located in a highly populated area and many of the customers of the center arrive by

foot. After the Subject Property was developed, changes in development regulations which occurred over the years caused the existing improvements to no longer comply with all of the requirements of the Zoning Ordinance. As a result, the Applicant sought and obtained variances to bring the existing improvements in conformance with current requirements.

**NOTE:** The following variances were heard and approved by the Board of Zoning Appeals on 9-14-1988, 3-22-1989 and 4-5-1989. (BZA Case No. 9498.)

<u>Section of Ordinance</u>	<u>Requirement Summarized</u>	<u>Extent of Variance</u>
27.450(a)(1)	10' Landscape strip	10'
27.450(a)(2)	½ of yards landscaped and screening	full
27.462(b)	building setbacks: 10' from street; 25' rear; 12' side	full
27.462(b)	street deemed to be 70' wide	existing r.o.w. to suffice

In addition to the variances listed above, an addition was constructed onto the shopping center prior to 1965 that encroached into the right of way for 15<sup>th</sup> Avenue. In order to validate this encroachment, the Applicant filed Vacation Petition No. V-91075 to vacate a portion of the right of way to allow this addition to remain. That Petition to Vacate the right of way of 15<sup>th</sup> Avenue was approved by the Prince George's County Planning

Board pursuant to Prince George's County Planning Board  
Resolution No. 91-431.

## **5.0 DEVELOPMENT PROPOSAL**

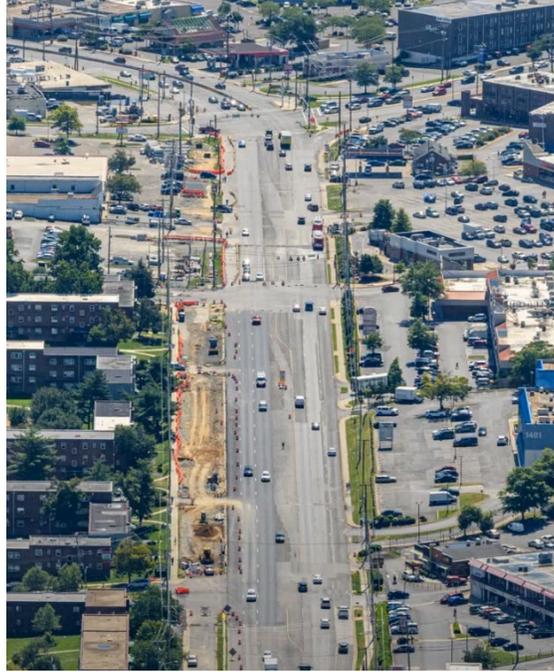
As noted above, the Subject Property has been impacted by the construction of the Purple Line, which extends along the north side of University Boulevard. In fact, the State Highway Administration has now acquired 10,335 square feet of the Subject Property, roughly taking 40 feet of land measured from the prior right-of-way line. The taking of this land removes over 40 parking spaces, which will reduce the parking below what the Applicant believes is necessary to support the existing and future tenants. As can be see from the photo below, the Purple Line construction has forced vehicles to park in the remaining spaces on site, which are not efficiently laid out:



Thus, the Applicant is seeking to reconfigure the front parking field to recoup as many spaces as possible. To do this, two applications will be required. First, the Applicant is seeking to utilize 9' X 18' parking spaces rather than 9.5' X 19' parking spaces to provide a few more spaces and provide more room for driveway aisles. This is the subject of the companion Departure from Design Standards. Second, the Applicant will only be able to provide a total of 107 parking spaces following the reconfiguration, which is still less than the minimum required—although it is 22 more spaces than remain after the taking. Thus, this Departure from the Number of Parking and Loading Spaces is also required to reduce the number of spaces required from 124 to 107 (a reduction of 17 spaces). SHA has recently begun mobilizing for construction and the impact of this activity on the availability of parking accentuates the need for the Applicant needs to obtain approval of a new site plan and to be able to obtain a new use and occupancy permit if a tenant leaves.

During the SDRC meeting, Transportation Staff inquired how the access point on University Boulevard will interact with the Purple Line. The University Place Shopping Center is just east of the proposed Riggs Road Station. The University Boulevard Stations will be center median stations. The right of way acquired by the stat provided sufficient room to locate the station in the center median but will push the reconstructed

roadway into the former boundary of the Subject Property. The image below shows how the existing roadway is being shifted further north to make way for the Purple Line:



The image above shows the proposed Riggs Road Station in the median of the widened roadway. Thus, access to the property by vehicles is maintained along University Boulevard, albeit shifted to the north to make room for the tracks in the median of the roadway.

## **6.0 SUMMARY OF REQUIRED DEPARTURE**

The regulations governing the design of off-street parking and loading spaces are set forth in Part 11 of the Prince George's County Zoning Ordinance. The minimum number of parking spaces required is set forth in Section 27-568 of the Zoning Ordinance. As noted above, the Subject Property is improved with an integrated shopping center containing a total of 29,090 square feet, originally constructed in or about 1959. The Subject Property is fully leased to five tenants—two eating and drinking establishments, a pawnshop, a laundromat/hair salon and a dialysis center. While integrated shopping centers with more than 25,000 feet are typically parked at a ratio of one parking space per 25,000 square feet, that ratio does not apply to medical practitioner's offices (medical clinics) when the square footage devoted to such uses exceeds 20% of the total shopping center. In this case, the dialysis center contains a total of 6,986 square feet, or 24% of the total shopping center. This requires the number of spaces devoted to the medical offices to be calculated at 1 space per 200 square feet. Under this

calculation, 35 parking spaces are required for the dialysis center and 89 parking spaces are required for retail uses, for a total of 124 parking spaces.

While 125 parking spaces existing prior to the Purple Line taking, the area required for the Purple Line contained all or part of 40 spaces. Not only did this reduce the number of spaces on site to approximately 85 spaces, all the remaining spaces are not accessible, requiring a reconfiguration of the parking lot. If reconfigured as proposed (and assuming approval of the companion DDS), the Applicant will be able to have a total of 107 parking spaces, 17 less (or 14% fewer) than required. The reconfiguration will, however, add 22 more than remain after the taking.

## **7.0 CRITERIA FOR APPROVAL**

Departures from the off-street parking requirements may be granted by the Planning Board in accordance with the provisions of Section 27-588 of the Prince George's County Zoning Ordinance. Section 27-588(b) (8) sets forth the required findings which the Planning Board must make in order to grant a requested departure from the off-street parking requirements. Those findings are as follows:

- (1) That the purposes of this Part will be served by the applicant's request;**

The purposes of the parking requirements are set forth in Section 27-550. Those purposes generally are to ensure that any

use provides sufficient off-street parking to service said use and to lessen traffic congestion on the streets by reducing the use of the streets for parking. The applicant submits that its proposal in this case satisfies the purposes for requiring off-street parking.

As set forth above, the Subject Property is improved with an integrated shopping center exceeding 25,000 square feet. If no medical use occupied the shopping center, a total of 117 parking spaces would be provided. However, the dialysis center increases the number of required spaces to 124. A total of 107 spaces will exist after reconfiguring the parking lot. For the reasons set forth below, the Applicant submits that the number of spaces provided is adequate to serve the needs of the shopping center.

First, as noted above, the Applicant has owned the shopping center for over 30 years and is intimately familiar with its operations. Due to its location in an urban area of the County, many of the customers patronizing the center arrive by foot or by bus, reducing the number of parking spaces required. A WMATA bus stop is located on University Boulevard directly across 15<sup>th</sup> Avenue from the Subject Property. In addition, the reduction in the number of spaces resulting from the construction of the Purple Line is offset by the fact that light rail transit is being constructed, with the proposed station less than 300 feet from the Subject Property. The proximity of mass transit, the

availability of bus service and the urban nature of the area reduce the reliance on automobiles to access the center. The proximity of the proposed Riggs Road Station Platform to the Subject Property can be seen on the image below:



The above image also shows that the station will be in the median of the road, maintaining access to the side from University Boulevard.

The reduced need for parking spaces is further evidenced by the fact that under the new Zoning Ordinance, parking regulations were revised to reflect the reduced need for minimum parking requirements in transit-oriented areas and inside the Capital Beltway. As referenced above, in the LTO-c Zone, there is no minimum parking requirement. Further, in any other zone inside the Capital Beltway, for a shopping center of this size, the

minimum parking requirement is one space per 300 square feet of retail and one space per 400 square feet of office. Utilizing these ratios, the total number of required parking spaces would be 92 spaces. While these regulations are not applicable to the Subject Property, they demonstrate that 107 parking spaces which will result from the reconfiguration of the parking lot are sufficient to meet the needs of an integrated shopping center in close proximity to mass transit located inside the Capital Beltway.

The Applicant would also note, as discussed in greater detail below, that an October 2021 parking study conducted by the Maryland-National Capital Park and Planning Commission for the Takoma/Langley Crossroads area found that there was not a shortfall of available parking for the commercial areas within the boundaries of the study, which included the Subject Property. Concerns were raised by some commercial properties, however, about the loss of parking caused by the Purple Line and the need to reconfigure parking lots, as is proposed in this application.

Based on all of the above, the applicant submits that it is clear that the requested departure would, if granted, satisfy the purposes of the parking regulations set forth in Section 27-550 and would in no way impair any of the purposes of the Zoning Ordinance generally.

**(2) The departure is the minimum necessary,**

**given the specific circumstances of the request;**

The request which the applicant is making is the minimum necessary. The taking of land by the Purple Line reduces the size of the existing parking lot and impacts the ability to access the remaining parking spaces. Thus, the parking lot needs to be reconfigured. With the reduction in the size of a standard size parking space to 9' X 18' requested in the DDS, the Applicant is able to provide a total of 107 parking spaces. This is the maximum number that can reasonably be located on site. With 124 spaces required, the departure of 17 spaces is the minimum departure necessary, given the specific circumstance of the request.

**(3) The departure is necessary in order to alleviate certain circumstances which are special to the subject use, given its nature at this location, or alleviate circumstances which are prevalent in order areas of the County which were predominantly developed prior to November 29, 1949;**

As discussed under the development history of the Subject Property, the existing buildings were constructed in 1959. However, the departure is necessary to alleviate circumstances unique to the site, as it is one of the properties impacted by takings needed to construct the Purple Line. The reduction in the area of the parking lot reduces the number of parking spaces below the minimum requirements. However, as set forth above, the number of spaces which can be achieved by reconfiguring the

remaining parking field will reasonably satisfy the parking requirements for a shopping center of this size located near mass transit and inside the Capital Beltway. Notwithstanding, the departure is necessary to alleviate the impact of the Purple Line taking.

**(4) All methods for calculating the number of spaces required (Division 2, Subdivision 3, and Division 3, Subdivision 3, of this Part) have either been used or found to be impractical;**

The calculation of the number of parking spaces required has been utilized for many years. There are no other means of calculating the number of spaces required which reduce would eliminate the need for this Departure. The applicant has no other option than to request a departure from the number of parking spaces.

**(5) Parking and loading needs of adjacent residential areas will not be infringed upon, if the departure is granted.**

The applicant submits that the parking and loading needs of residential areas will not be infringed upon if this request is granted. As discussed in detail above, the parking which will exist upon the reconfiguration of the parking lot will be sufficient to meet the needs of the existing tenants and therefore will prevent any impact on adjacent residential areas.

Section 27-588 also requires the Planning Board to give consideration to certain other matters. These are as follows:

**(1) The parking and loading conditions within the general vicinity of the subject property, including number and locations of available on and off-street spaces within five hundred (500) feet of the subject property;**

There is no shortage of parking and loading spaces within the general vicinity of this property to the best of the applicant's knowledge. Upon completion of the Purple Line, reliance on automobile trips will be reduced as mass transit will be available. The reconfiguration of the remaining parking lot will ensure enough spaces exist to serve the existing shopping center.

**(2) The recommendations of an area Master plan or County/Local Revitalization Plan, regarding the subject property and its general vicinity;**

The Subject Property is located within the boundaries of the 2009 Approved Takoma/Langley Crossroads Sector Plan. Plan Prince George's 2035 further places the Subject Property within the Takoma Langley Crossroads Local Transit Center. The Subject Property is also located within the boundaries of the Takoma/Langley Crossroads Parking Study dated October 2021. The Sector Plan recognizes the C-S-C zoning that was in place at the time the Sector Plan was adopted and the existing commercial land use. The Sector Plan did not include a Sectional Map Amendment, thus retaining that zoning that predated the Sector Plan. The Sector Plan did note the future construction of the Purple Line

and the long-term vision is for the Subject Property and the surrounding area to be redeveloped with a dense, transit-oriented mix of uses once the Purple Line is completed. With the retention of the C-S-C Zone, the continued use of the property providing commercial services to the local community is consistent with the underlying zoning and the recommendations of the applicable Plans.

It is also noted that in 2021, a Parking Study was completed for the Takoma/Langley Crossroads area, which includes the Subject Property. The study evaluated the supply and demand of parking for both residential and commercial uses. For commercial uses, the study found that the commercial land uses have most of the underutilized off-street parking supply in the study area. The study notes that the oversupply of parking in these areas could eventually be addressed by future redevelopment, which could eliminate the oversupply. Thus, the parking study conclusion that ample parking exists to serve the existing commercial uses is supportive of the requested DPLS.

**(3) The recommendations of a municipality within which the property lies regarding the departure;**

This property does not lie within the limits of any municipality.

**(4) Public parking facilities which are proposed within the general vicinity of the property.**

To the applicant's knowledge, there are no public parking facilities proposed within the general vicinity of the subject property. As noted above, however, the Takoma/Langley Crossroads Parking Study was completed in October 2021 and included an evaluation of parking supply and demand for the 15 commercial zones designated in the study. The five commercial zones with the largest parking lots were identified, and one was the University Place retail assemblage. The study also included telephone based interviews of area businesses to understand perceptions regarding the sufficiency of parking supply. The results of the study were that the commercial area parking supply is sufficient to meet the parking demand under current conditions, although the study did note that concerns were raised regarding the construction of the Purple Line, the elimination of a number of parking spaces, and the need to reconfigure parking lots. This application is needed to address this very concern as it relates to the Subject Property.

Given all of the above considerations, the applicant respectfully submits that all of the required Findings set forth in Section 27-588 are met and satisfied with this application. Most importantly, the applicant submits the purposes for requiring off-street parking spaces are also satisfied. With the reconfiguration of the parking lot, 107 parking spaces will be

sufficient to serve the needs of the Subject Property. This is true today and will continue to be the case once the Purple Line construction is completed and the transit station opens near the shopping center. Therefore, the applicant requests that its departure from the required number of off-street parking spaces be granted.

**CONCLUSION**

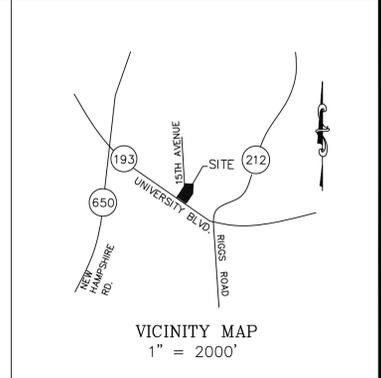
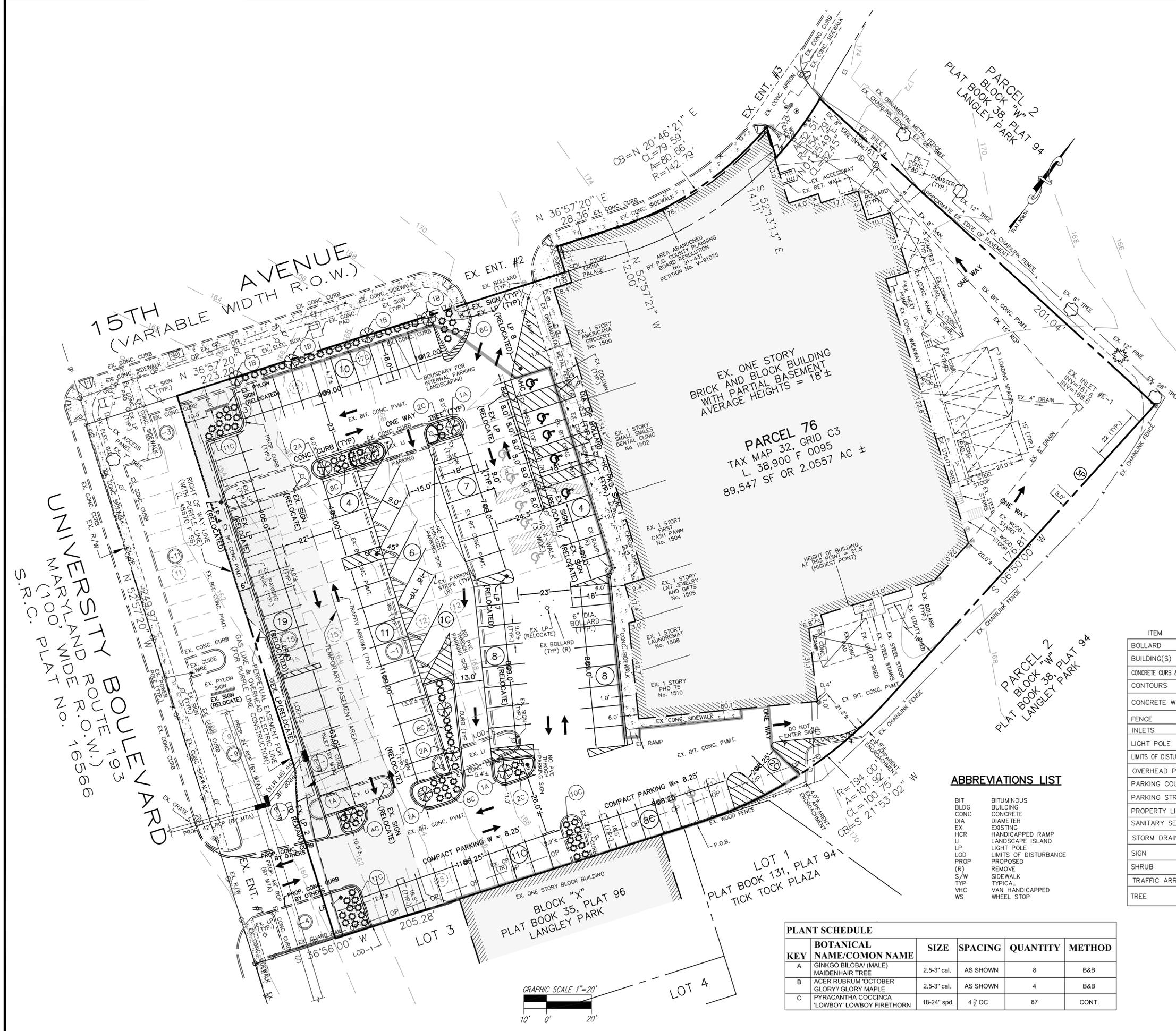
Based on all the foregoing reasons, the applicant respectfully requests approval of the requested departure.

Respectfully submitted,



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Thomas H. Haller  
GIBBS AND HALLER  
1300 Caraway Court, Suite 102  
Largo, Maryland 20774  
(301) 306-0033



- GENERAL NOTES**
1. THIS PROPERTY CURRENT ZONING IS LTO-C & PRIOR ZONING IS C-S-C (COMMERCIAL SHOPPING CENTER). THE EXISTING BUILDING AND PARKING AREAS WERE CONSTRUCTED PRIOR TO 1965.
  2. THE SURROUNDING PROPERTIES CURRENT ZONING IS LTO-C; PRIOR ZONING WAS R-18 & C-S-C. THE SURROUNDING USES INCLUDE MULTIFAMILY RESIDENTIAL, DEVELOPMENT, A COMMERCIAL SHOPPING CENTER, AND AN AUTO PARTS STORE.
  3. TOTAL LOD AREA = 4,400 SF.
  4. THE PROPOSED PARKING LOT RECONFIGURATION WILL NOT RESULT IN AN INCREASE IN EXISTING IMPERVIOUS AREA.
  5. THE SITE IS EXEMPT FROM APPLICATION OF THE 2010 LANDSCAPE MANUAL PER SECTIONS 1.1. LANDSCAPING PREVIOUSLY EXISTING ON SITE WHICH HAS DIED WILL BE RESTORED.
  6. THE PARKING LOT INTERNAL LANDSCAPING OF 5% PROVIDED IS IN ACCORDANCE WITH PRIOR REGULATIONS AND APPROVED PLAN.
  7. NO EV PARKING IS PROPOSED OR REQUIRED.
  8. NO BIKE PARKING IS PROPOSED OR REQUIRED.
  9. TOTAL OF 10 LIGHT POLES ARE SHOWN ALONG FRONT. LIGHTING PROVIDED IS CONSIDERED ADEQUATE. SITE LIGHTING PHOTOMETRIC CAN BE PROVIDED PRIOR TO FINAL CERTIFICATION.

- PARKING WAIVER AND DDS/DPLS NOTES**
1. THE BASE MAP FOR PARKING PLAN EXISTING PARKING IS BASED ON FIELD SURVEY OF 2017 AND MODIFIED TO SHOW EXISTING CONDITIONS.
  2. THE EXISTING PYLON SIGN FOR SHOPPING CENTER (LOCATED ALONG THE FRONT) WILL BE REMOVED AND RELOCATED AS SHOWN.
  3. THE EXISTING LIGHT POLES WILL BE REMOVED AS REQUIRED AND NEW LIGHT POLES WILL BE ADDED.
  4. THE ON-SITE CURBING IS SHOWN FOR STORM DRAIN CONVEYANCE. IT IS ASSUMED THAT PG COUNTY WILL NOT REQUIRE SWM WATER QUALITY BASED ON MDE'S GUIDELINES TO COMPLY W/ ENVIRONMENTAL SITE DESIGN (ESD) VOLUME. THE ADDITION OF ANY ESD TYPE DEVICES ON SITE IS LIKELY TO INCREASE THE PARKING LOSS. IT IS ASSUMED THAT PURPLE LINE CONSTRUCTION WILL EXTEND THE STORM DRAIN TO ALLOW CONNECTION TO THE ON-SITE INLET (TO BE ADDED) AS REQUIRED.
  5. SEE SHEET 2 FOR PARKING & LOADING SCHEDULE. PARKING WAIVER & DDS IS REQUIRED.
  6. SEE SHEET 2 FOR PARKING LOT INTERNAL LANDSCAPING & VARIANCES APPLICABLE & APPROVED PREVIOUSLY.
  7. PRIOR TO PROCEEDING WITH CONSTRUCTION, CONFIRM THE SLOPES TO MEET ADA REQUIREMENTS FOR HANDICAPPED PARKING SPACES.

**SITE LEGEND**

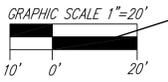
ITEM	NEW	EXISTING
BOLLARD		⊗
BUILDING(S)		
CONCRETE CURB & GUTTER		
CONTOURS	- 175 -	- 175 -
CONCRETE WALK		
FENCE		-X-X-X-
INLETS		
LIGHT POLE	■	□
LIMITS OF DISTURBANCE	- LOD -	- OP -
OVERHEAD POWER		- OP -
PARKING COUNT	⑦	⑦
PARKING STRIPES		
PROPERTY LINE		
SANITARY SEWER		- S -
STORM DRAIN		
SIGN	⊕	⊕
SHRUB		
TRAFFIC ARROWS		
TREE		

**ABBREVIATIONS LIST**

BIT	BITUMINOUS
BLDG	BUILDING
CONC	CONCRETE
DIA	DIAMETER
EX	EXISTING
HCR	HANDICAPPED RAMP
LI	LANDSCAPE ISLAND
LP	LIGHT POLE
LOD	LIMITS OF DISTURBANCE
PROP	PROPOSED
(R)	REMOVE
S/W	SIDEWALK
TYP	TYPICAL
VHC	VAN HANDICAPPED
WS	WHEEL STOP

**PLANT SCHEDULE**

KEY	BOTANICAL NAME/COMMON NAME	SIZE	SPACING	QUANTITY	METHOD
A	GINKGO BILBOBA (MALE) MAIDENHAIR TREE	2.5-3" cal.	AS SHOWN	8	B&B
B	ACER RUBRUM 'OCTOBER GLORY' GLORY! GLORY MAPLE	2.5-3" cal.	AS SHOWN	4	B&B
C	PYRACANTHA COCCINCA 'LOWBOY' LOWBOY FIRETHORN	18-24" spd.	4 1/2 OC	87	CONT.



**DESIGN ENGINEERING INCORPORATED**

FULL SERVICE ENGINEERING & RELATED SERVICES  
18229-A FLOWER HILL WAY GAITHERSBURG, MARYLAND 20879  
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CONTACT PERSON: PRITAM ARORA E-MAIL: parora@dei.us.com

**DEI**

**UNIVERSITY PLACE SHOPPING CENTER**  
PARCEL 76  
TAX MAP 32, GRID C3  
CHILLUM DISTRICT, NO. 17  
PRINCE GEORGE'S COUNTY, MARYLAND

**DPLS-22007**

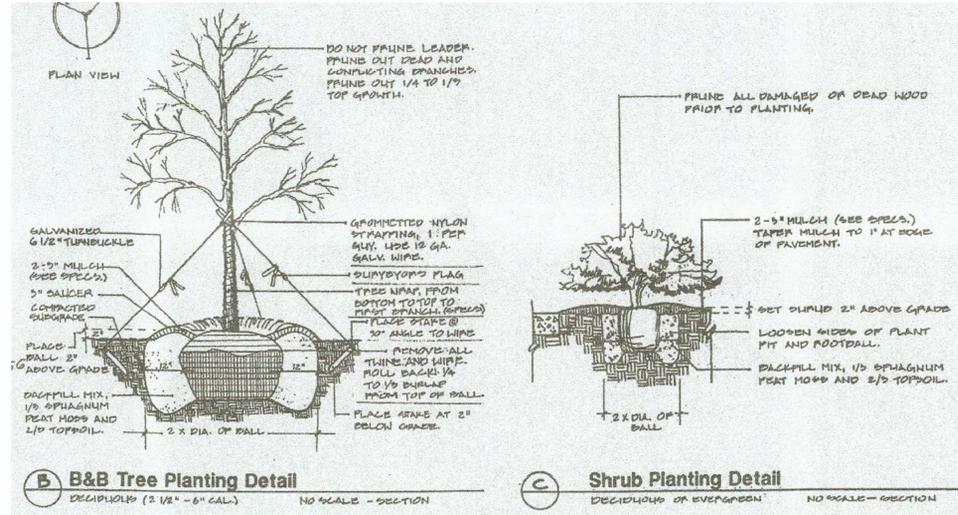
REVISIONS	DATE	DESCRIPTION
	11/29/23	FOR PRE-SUBMISSION
	9/1/2023	FOR VARIANCES
	1/2/2024	DPLS-22007 COMMENTS

**TITLE: SITE & LS PLAN**

DATE: 06/27/23  
SCALE: 1"=20'  
SHEET: C-1 (1 OF 2)

DRAWN: EMB  
DESIGNED: EMB/PLA  
CHECKED: PLA

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 11101, EXPIRATION DATE: SEPT. 17, 2024



PARKING/LOADING SPACE SCHEDULE				
(NOTE: THE USE OF THIS PROPERTY IS AN INTEGRATED SHOPPING CENTER HAVING A TOTAL OF 29,090 S.T. GFA. INCLUDING 6,986+ S.F. OF MEDICAL OFFICE (24%) AND 22,104 S.F. OF RETAIL, ETC)				
No.	TYPE OF USE	NUMBER OF SPACE	UNIT OF MEASUREMENT	TOTAL NUMBER OF PARKING SPACES REQUIRED
1	MEDICAL OFFICE (6,986+ s.f. GLA)	1	200 s.f. GLA	35
2	INTEGRATED SHOPPING CENTER RETAIL, ETC. (22,104 S.F. GFA)	1	250 s.f. GFA	89
TOTAL PARKING REQUIRED.....				124
PARKING PROVIDED				
A. REGULAR PARKING 9' X 18'				77
B. PARALLEL PARKING 8' X 22'				3
C. COMPACT PARKING (8.25' X 16.5')				22
D. HANDICAPPED (13' X 18' and w/ 1 Van-Handicapped 16' X 18')				5
TOTAL PARKING PROVIDED W/ DEPARTURE.....				107
PERCENTAGE OF PARKING SPACE REDUCTION .....				14%
LOADING REQUIRED (PRE-1970 REGULATIONS)				
No.	TYPE OF USE	NUMBER OF SPACE	UNIT OF MEASUREMENT	TOTAL NUMBER OF PARKING SPACES REQUIRED
1	COMMERCIAL BUILDING W/ WIDTH OF 210'	1	50' of Building Width	5
TOTAL LOADING PROVIDED W/ PRE-1970 REGULATIONS				5

**NOTE:**  
THE FOLLOWING VARIANCES WERE HEARD AND APPROVED BY THE BOARD OF ZONING APPEALS ON 9-14-1988, 3-22-1989, AND 4-5-1989 (BZA CASE NO. 9498)

SECTION OF ORDINANCE	REQUIREMENT SUMMARIZED	EXTENT OF VARIANCE
27.450 (a)(1)	10' LANDSCAPE STRIP	10'
27.450 (a)(2)	1/2 OF YARDS LANDSCAPED AND SCREENING	FULL
27.462 (b)	BUILDING SETBACKS: 10' FROM STREET; 25' REAR; 12' SIDE	FULL
27.462 (b)	STREET DEEMED TO BE 70' WIDE	EXISTING R.O.W. TO SUFFICE

LANDSCAPE DEVELOPMENT STATISTICS		
A.	TOTAL SQ FT. OF PARKING COMPOUND	38,430 SF
B.	5% OF TOTAL PARKING COMPOUND AREA (REQUIRED FOR INTERIOR LANDSCAPING)	1947 SF
C.	INTERIOR LANDSCAPING AREA PROVIDED (5.8%)	2,258 SF
D.	NUMBER OF SHADE TREES REQUIRED AT 1 TREE PER 300 SQ. FT. OF REQUIRED INTERIOR LANDSCAPING AREA	7
E.	NUMBER OF SHADE TREES PROVIDED	8
F.	LINEAR FEET OF LANDSCAPING STRIP	387
G.	1 TREE PER EVERY 35 LINEAR FEET	12
H.	LANDSCAPING STRIP: SHADE TREES PROVIDED	12
I.	LANDSCAPE STRIP: SHRUBS REQUIRED AT 5 SHRUBS PER EVERY 35 LINEAR FEET	60
J.	LANDSCAPE STRIP: SHRUBS PROVIDED	60

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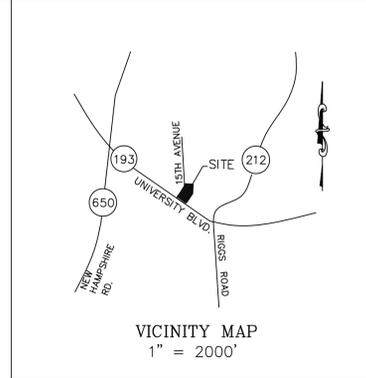
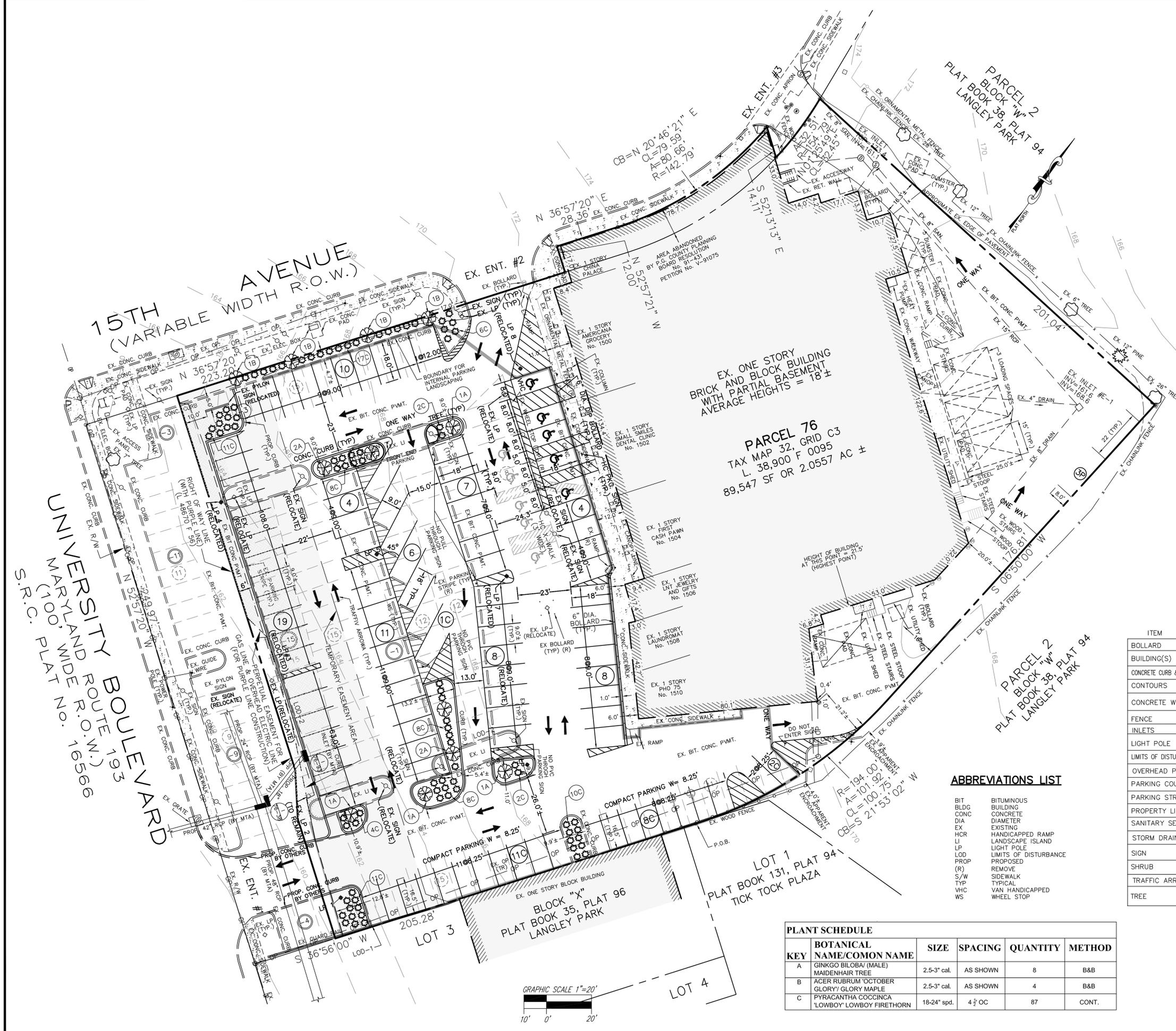
**DPLS-22007**

**UNIVERSITY PLACE SHOPPING CENTER**  
PARCEL 76  
TAX MAP 32, GRID C3  
CHILLUM DISTRICT, NO. 17  
PRINCE GEORGE'S COUNTY, MARYLAND

REVISIONS	
DATE	DESCRIPTION
9/1/23	ECB VARIANCE SUBMITTAL
1/22/24	DPLS-22007 COMMENTS

<b>TITLE:</b> IS NOTES & DETAILS	<b>DATE:</b> 08/30/23
<b>SCALE:</b> AS SHOWN	<b>DRAWN:</b> EMB
<b>SHEET:</b> C-2 (2 OF 2)	<b>DESIGNED:</b> EMB/PLA
	<b>CHECKED:</b> PLA

**DESIGN ENGINEERING INCORPORATED**  
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E-MAIL: parora@deius.com



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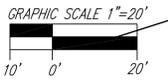
ITEM	NEW	EXISTING
BOLLARD		⊗
BUILDING(S)		
CONCRETE CURB & GUTTER		
CONTOURS	- 175 -	- 175 -
CONCRETE WALK		
FENCE		-X-X-X-
INLETS		
LIGHT POLE	■	□
LIMITS OF DISTURBANCE	- LOD -	- OP -
OVERHEAD POWER		- OP -
PARKING COUNT	⑦	⑦
PARKING STRIPES		
PROPERTY LINE		
SANITARY SEWER		- S -
STORM DRAIN		
SIGN	⊕	⊖
SHRUB		
TRAFFIC ARROWS		
TREE		

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**DEI**

**UNIVERSITY PLACE SHOPPING CENTER**  
PARCEL 76  
TAX MAP 32, GRID C3  
CHILLUM DISTRICT, NO. 17  
PRINCE GEORGE'S COUNTY, MARYLAND

**DDS-22005**

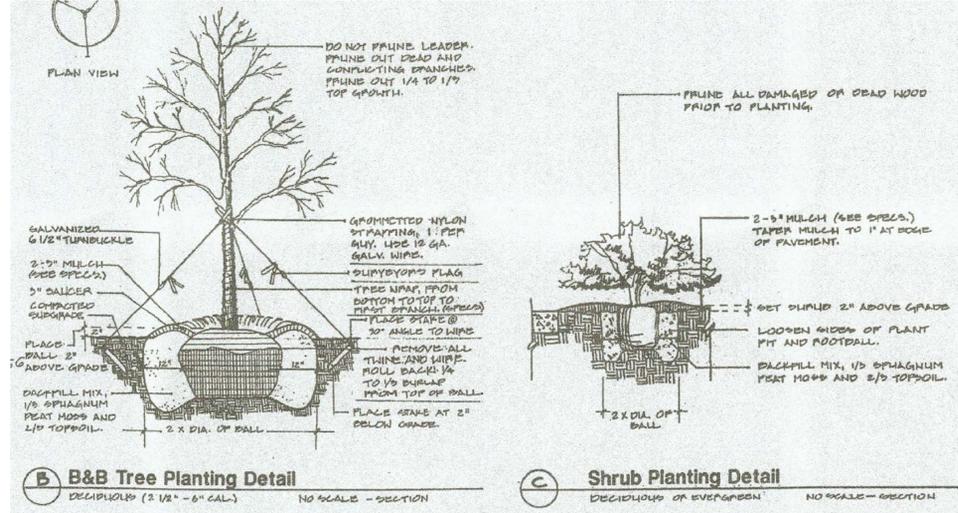
REVISIONS	DATE	DESCRIPTION
	11/29/23	FOR PRE-SUBMISSION
	9/17/2023	FOR MARKING SUBMITTAL
	1/22/2024	DDS-22005 COMMENTS

**TITLE: SITE & LS PLAN**

DATE: 06/27/23  
SCALE: 1"=20'  
SHEET: C-1 (1 OF 2)

DRAWN: EMB  
DESIGNED: EMB/PLA  
CHECKED: PLA

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 11101, EXPIRATION DATE: SEPT. 17, 2024



PARKING/ LOADING SPACE SCHEDULE				
(NOTE: THE USE OF THIS PROPERTY IS AN INTEGRATED SHOPPING CENTER HAVING A TOTAL OF 29,090 S.T. GFA. INCLUDING 6,986+ S.F. OF MEDICAL OFFICE (24%) AND 22,104 S.F. OF RETAIL, ETC.)				
No.	TYPE OF USE	NUMBER OF SPACE	UNIT OF MEASUREMENT	TOTAL NUMBER OF PARKING SPACES REQUIRED
1	MEDICAL OFFICE (6,986+ s.f. GLA)	1	200 s.f. GLA	35
2	INTEGRATED SHOPPING CENTER RETAIL, ETC. (22,104 S.F. GFA)	1	250 s.f. GFA	89
TOTAL PARKING REQUIRED.....				124
PARKING PROVIDED				
A. REGULAR PARKING 9' X 18'				77
B. PARALLEL PARKING 8' X 22'				3
C. COMPACT PARKING (8.25' X 16.5')				22
D. HANDICAPPED ( 13' X 18' and w/ 1 Van-Handicaped 16' X 18')				5
TOTAL PARKING PROVIDED W/ DEPARTURE.....				107
PERCENTAGE OF PARKING SPACE REDUCTION .....				14%
LOADING REQUIRED (PRE-1970 REGULATIONS)				
No.	TYPE OF USE	NUMBER OF SPACE	UNIT OF MEASUREMENT	TOTAL NUMBER OF PARKING SPACES REQUIRED
1	COMMERCIAL BUILDING W/ WIDTH OF 210'	1	50' of Building Width	5
TOTAL LOADING PROVIDED W/ PRE-1970 REGULATIONS				5

**NOTE:**  
THE FOLLOWING VARIANCES WERE HEARD AND APPROVED BY THE BOARD OF ZONING APPEALS ON 9-14-1988, 3-22-1989, AND 4-5-1989 (BZA CASE NO. 9498)

SECTION OF ORDINANCE	REQUIREMENT SUMMARIZED	EXTENT OF VARIANCE
27.450 (a)(1)	10' LANDSCAPE STRIP	10'
27.450 (a)(2)	1/2 OF YARDS LANDSCAPED AND SCREENING	FULL
27.462 (b)	BUILDING SETBACKS: 10' FROM STREET; 25' REAR; 12' SIDE	FULL
27.462 (b)	STREET DEEMED TO BE 70' WIDE	EXISTING R.O.W. TO SUFFICE

LANDSCAPE DEVELOPMENT STATISTICS		
A.	TOTAL SQ FT. OF PARKING COMPOUND	38,430 SF
B.	5% OF TOTAL PARKING COMPOUND AREA (REQUIRED FOR INTERIOR LANDSCAPING)	1922 SF
C.	INTERIOR LANDSCAPING AREA PROVIDED (5.8%)	2,258 SF
D.	NUMBER OF SHADE TREES REQUIRED AT 1 TREE PER 300 SQ. FT. OF REQUIRED INTERIOR LANDSCAPING AREA	7
E.	NUMBER OF SHADE TREES PROVIDED	8
F.	LINEAR FEET OF LANDSCAPING STRIP	387
G.	1 TREE PER EVERY 35 LINEAR FEET	12
H.	LANDSCAPING STRIP: SHADE TREES PROVIDED	12
I.	LANDSCAPE STRIP: SHRUBS REQUIRED AT 5 SHRUBS PER EVERY 35 LINEAR FEET	60
J.	LANDSCAPE STRIP: SHRUBS PROVIDED	60

PLANT SCHEDULE					
KEY	BOTANICAL NAME/COMMON NAME	SIZE	SPACING	QUANTITY	METHOD
A	GINKGO BILOBA/ (MALE) MAIDENHAIR TREE	2.5-3" cal.	AS SHOWN	8	B&B
B	ACER RUBRUM OCTOBER GLORY/ GLORY MAPLE	2.5-3" cal.	AS SHOWN	12	B&B
C	PYRACANTHA COCCINEA LOWBOY/ LOWBOY FIRETHORN	18-24" spd.	4 1/2 o.c.	170	CONT.

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 11101, EXPIRATION DATE: SEPT. 17, 2024



**DESIGN ENGINEERING INCORPORATED**  
FULL SERVICE ENGINEERING & RELATED SERVICES  
18229-A FLOWER HILL WAY GAITHERSBURG, MARYLAND 20879  
PHONE: (301) 258-1173 EXT. 102  
CONTACT PERSON: PRITHAM ARORA E-MAIL: parora@dei.us.com

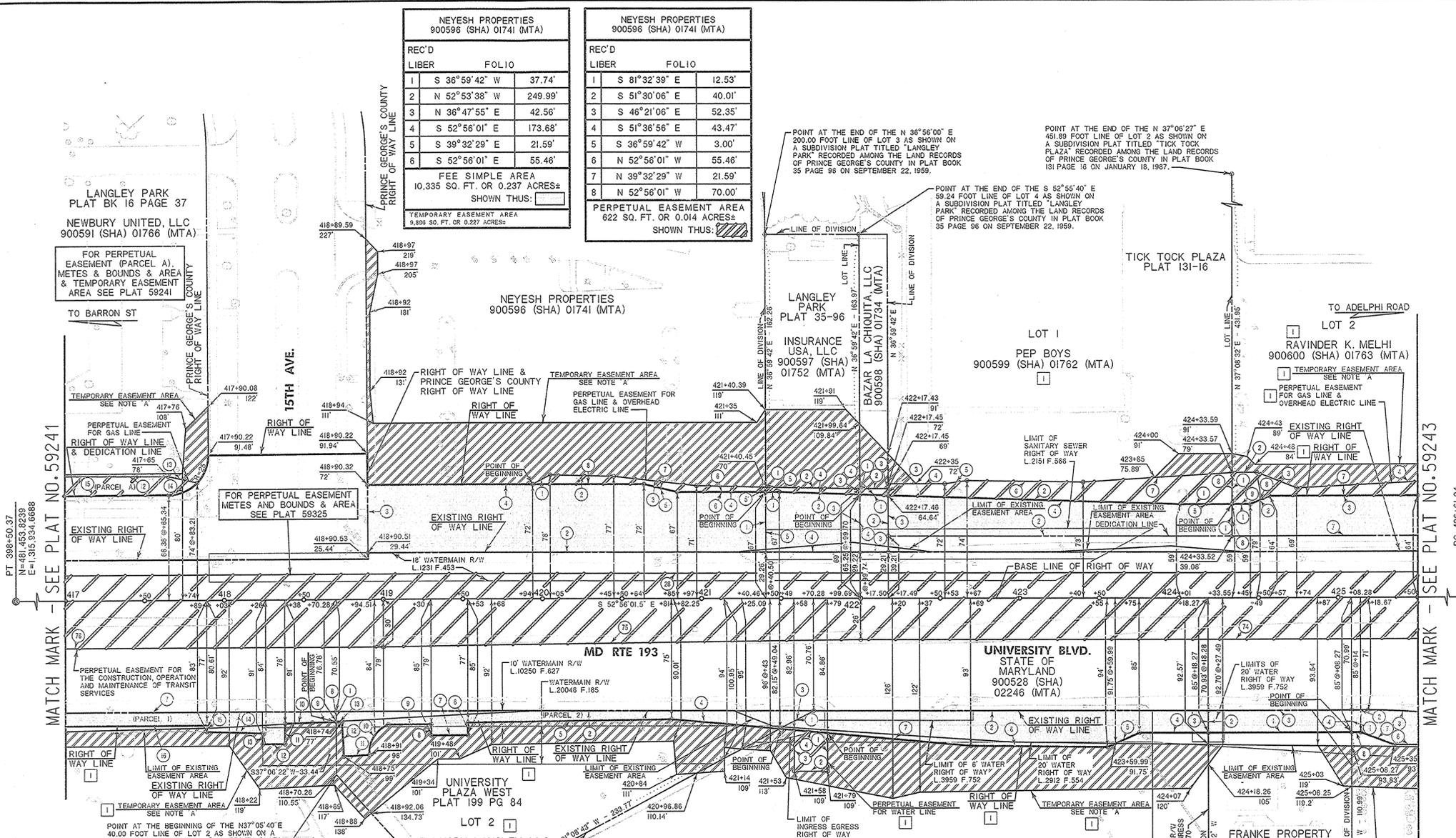
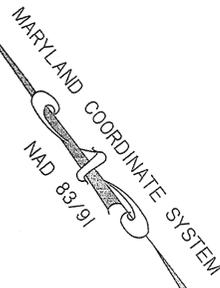
**DEI**

**UNIVERSITY PLACE SHOPPING CENTER**  
PARCEL 76  
TAX MAP 32, GRID C3  
CHILLIUM DISTRICT, NO. 17  
PRINCE GEORGE'S COUNTY, MARYLAND

**DDS-22005**

REVISIONS	
DATE	DESCRIPTION
9/1/23	ECB VARIANCE SUBMITTAL
1/22/24	DDS-22005 COMMENTS

DATE: 08/30/23	TITLE: IS NOTES & DETAILS
SCALE: AS SHOWN	DRAWN: EMB
SHEET: C-2	DESIGNED: EMB/PLA
(2 OF 2)	CHECKED: PLA



NEYESH PROPERTIES 900596 (SHA) 01741 (MTA)		
REC'D	LIBER	FOLIO
1	S 36°59'42" W	37.74'
2	N 52°53'38" E	249.99'
3	N 36°47'55" E	42.56'
4	S 52°56'01" E	173.68'
5	S 39°32'29" W	21.59'
6	S 52°56'01" E	55.46'

NEYESH PROPERTIES 900596 (SHA) 01741 (MTA)		
REC'D	LIBER	FOLIO
1	S 81°32'39" E	12.53'
2	S 51°30'06" E	40.01'
3	S 46°21'06" E	52.35'
4	S 51°36'56" E	43.47'
5	S 36°59'42" W	3.00'
6	N 52°56'01" W	55.46'
7	N 39°32'29" W	21.59'
8	N 52°56'01" W	70.00'

INSURANCE USA, LLC 900597 (SHA) 01752 (MTA)		
REC'D	LIBER	FOLIO
1	S 52°56'01" E	8.54'
2	S 50°57'32" E	50.73'
3	S 36°59'42" W	36.03'
4	N 52°53'38" W	59.24'
5	N 36°59'42" E	37.74'

INSURANCE USA, LLS 900597 (SHA) 01752 (MTA)		
REC'D	LIBER	FOLIO
1	N 36°59'42" E	3.00'
2	S 51°58'00" E	59.25'
3	S 36°59'42" W	3.75'
4	N 50°57'32" W	50.73'
5	N 52°56'01" W	8.54'

BAZAR LA CHIQUITA, LLC 900598 (SHA) 01734 (MTA)		
REC'D	LIBER	FOLIO
1	S 50°57'32" E	17.77'
2	S 36°59'42" W	35.43'
3	N 52°53'38" W	17.76'
4	N 36°59'42" E	36.03'

BAZAR LA CHIQUITA, LLC 900598 (SHA) 01734 (MTA)		
REC'D	LIBER	FOLIO
1	N 36°59'42" E	3.75'
2	S 52°56'01" E	17.76'
3	S 36°59'42" W	4.36'
4	N 50°57'32" W	17.77'

PEP BOYS 900599 (SHA) 01762 (MTA)		
REC'D	LIBER	FOLIO
1	S 37°08'32" E	19.94'
2	N 52°53'38" W	216.03'
3	N 36°59'42" E	25.43'
4	S 51°10'26" E	183.63'
5	S 52°56'01" E	32.55'

RAVINDER K. MELHI 900600 (SHA) 01763 (MTA)		
REC'D	LIBER	FOLIO
1	S 52°56'01" E	11.45'
2	S 75°33'13" E	13.00'
3	S 52°56'01" E	93.00'
4	S 55°28'43" E	45.04'
5	R = 28.00' L=44.47'	
6	CHD. N 75°11'31" E	39.25'
7	CHD. S 75°22'29" W	73.80'
8	N 52°53'38" W	139.96'
9	N 37°08'32" E	19.94'

PEP BOYS 900599 (SHA) 01762 (MTA)		
REC'D	LIBER	FOLIO
1	N 52°56'01" W	32.55'
2	N 51°10'26" W	183.63'
3	N 36°59'41" E	7.36'
4	S 52°56'01" E	35.55'
5	S 61°03'50" E	14.14'
6	S 52°08'56" E	73.01'
7	S 56°36'09" E	93.77'
8	S 37°08'32" W	20.00'

RAVINDER K. MELHI 900600 (SHA) 01763 (MTA)		
REC'D	LIBER	FOLIO
1	N 37°08'32" E	20.00'
2	S 52°56'01" E	15.43'
3	S 31°07'56" E	26.93'
4	S 55°47'30" E	140.39'
5	R = 26.00' L=22.34'	
6	CHD. N 80°25'29" W	21.66'
7	N 52°56'01" W	93.00'
8	N 75°33'13" W	13.00'
9	N 52°56'01" W	11.45'

SHELLHORN LANGLEY LLC 900593 (SHA) 01798 (MTA)		
REC'D	LIBER	FOLIO
1	N 37°08'22" E	6.56'
2	S 52°53'38" E	300.00'
3	N 81°08'43" W	24.11'
4	N 47°46'00" W	68.32'
5	N 53°49'44" W	128.02'
6	S 37°03'59" W	8.00'
7	N 52°56'01" W	23.00'
8	N 37°03'59" E	7.00'
9	N 52°56'01" W	27.00'
10	R = 19.00' L=24.04'	
11	N 56°30'36" W	16.03'
12	N 34°27'49" E	22.02'
13	N 54°31'30" W	3.72'

UNIVERSITY PLAZA WEST PLAT 199 P. 84		
REC'D	LIBER	FOLIO
1	N 37°06'22" E	6.56'
2	S 52°53'38" E	300.00'
3	N 81°08'43" W	24.11'
4	N 47°46'00" W	68.32'
5	N 53°49'44" W	128.02'
6	S 37°03'59" W	8.00'
7	N 52°56'01" W	23.00'
8	N 37°03'59" E	7.00'
9	N 52°56'01" W	27.00'
10	CHD. S 69°20'31" W	22.47'
11	N 56°30'36" W	16.03'
12	N 34°27'49" E	22.02'
13	N 54°31'30" W	3.72'

SHELLHORN LANGLEY LLC 900593 (SHA) 01798 (MTA)		
REC'D	LIBER	FOLIO
1	N 37°06'22" E	6.56'
2	S 52°53'38" E	300.00'
3	N 81°08'43" W	24.11'
4	N 47°46'00" W	68.32'
5	N 53°49'44" W	128.02'
6	S 37°03'59" W	8.00'
7	N 52°56'01" W	23.00'
8	N 37°03'59" E	7.00'
9	N 52°56'01" W	27.00'
10	CHD. S 69°20'31" W	22.47'
11	N 56°30'36" W	16.03'
12	N 34°27'49" E	22.02'
13	N 54°31'30" W	3.72'

HECHINGER PLAZA LIMITED PARTNERSHIP 900594 (SHA) 01783 (MTA)		
REC'D	LIBER	FOLIO
1	S 81°08'43" E	24.11'
2	S 52°53'38" E	248.00'
3	S 37°06'22" W	14.07'
4	N 52°56'01" W	43.27'
5	N 77°09'41" W	21.93'
6	N 52°16'03" W	86.01'
7	N 47°46'00" W	120.45'

HECHINGER PLAZA LIMITED PARTNERSHIP 900594 (SHA) 01783 (MTA)		
REC'D	LIBER	FOLIO
1	S 37°03'59" W	24.14'
2	N 52°56'01" W	21.00'
3	N 37°03'59" E	26.04'
4	S 47°46'00" E	21.09'

UPOB, LLC 900601 (SHA) 01784 (MTA)		
REC'D	LIBER	FOLIO
1	N 37°06'22" E	14.01'
2	S 52°53'38" E	10.39'
3	R = 401.26' L=180.01'	
4	CHD. N 40°02'33" E	178.50'
5	R = 200.00' L=35.42'	
6	N 35°07'03" W	35.37'
7	N 47°39'35" W	65.28'
8	N 51°57'46" W	59.01'
9	N 32°04'45" W	22.47'
10	N 52°56'01" W	5.73'

JOHNSON AND JOHNSON AUTOMOTIVE, LLC 900595 (SHA) 01782 (MTA)		
REC'D	LIBER	FOLIO
1	N 52°56'01" W	90.00'
2	N 37°06'22" E	14.07'
3	S 52°53'38" E	90.00'
4	S 37°06'22" W	14.01'

FRANKE PROPERTY PB 47 P. 70		
REC'D	LIBER	FOLIO
1	N 52°56'01" W	90.00'
2	N 37°06'22" E	14.07'
3	S 52°53'38" E	90.00'
4	S 37°06'22" W	14.01'

JOHNSON AND JOHNSON AUTOMOTIVE, LLC 900595 (SHA) 01782 (MTA)		
REC'D	LIBER	FOLIO
1	N 52°56'01" W	90.00'
2	N 37°06'22" E	14.07'
3	S 52°53'38" E	90.00'
4	S 37°06'22" W	14.01'

UPOB, LLC 900601 (SHA) 01784 (MTA)		
REC'D	LIBER	FOLIO
1	N 37°06'22" E	14.01'
2	S 52°53'38" E	10.39'
3	R = 401.26' L=180.01'	
4	CHD. N 40°02'33" E	178.50'
5	R = 200.00' L=35.42'	
6	N 35°07'03" W	35.37'
7	N 47°39'35" W	65.28'
8	N 51°57'46" W	59.01'
9	N 32°04'45" W	22.47'
10	N 52°56'01" W	5.73'

FRANKE PROPERTY PB WWW 74 P. 46		
REC'D	LIBER	FOLIO
1	N 52°56'01" W	90.00'
2	N 37°06'22" E	14.07'
3	S 52°53'38" E	90.00'
4	S 37°06'22" W	14.01'

MARYLAND TRANSIT ADMINISTRATION

STATE OF MARYLAND DEPARTMENT OF TRANSPORTATION STATE HIGHWAY ADMINISTRATION STATE ROADS COMMISSION

RIGHT OF WAY PROJECT: MARYLAND NATIONAL CAPITAL PURPLE LINE  
RIGHT OF WAY PROJECT NO.: 10420130  
FEDERAL AID PROJECT NO.: N/A  
ISSUED: May 8, 2014  
SCALE: 1" = 40'

PLAT No. 59242

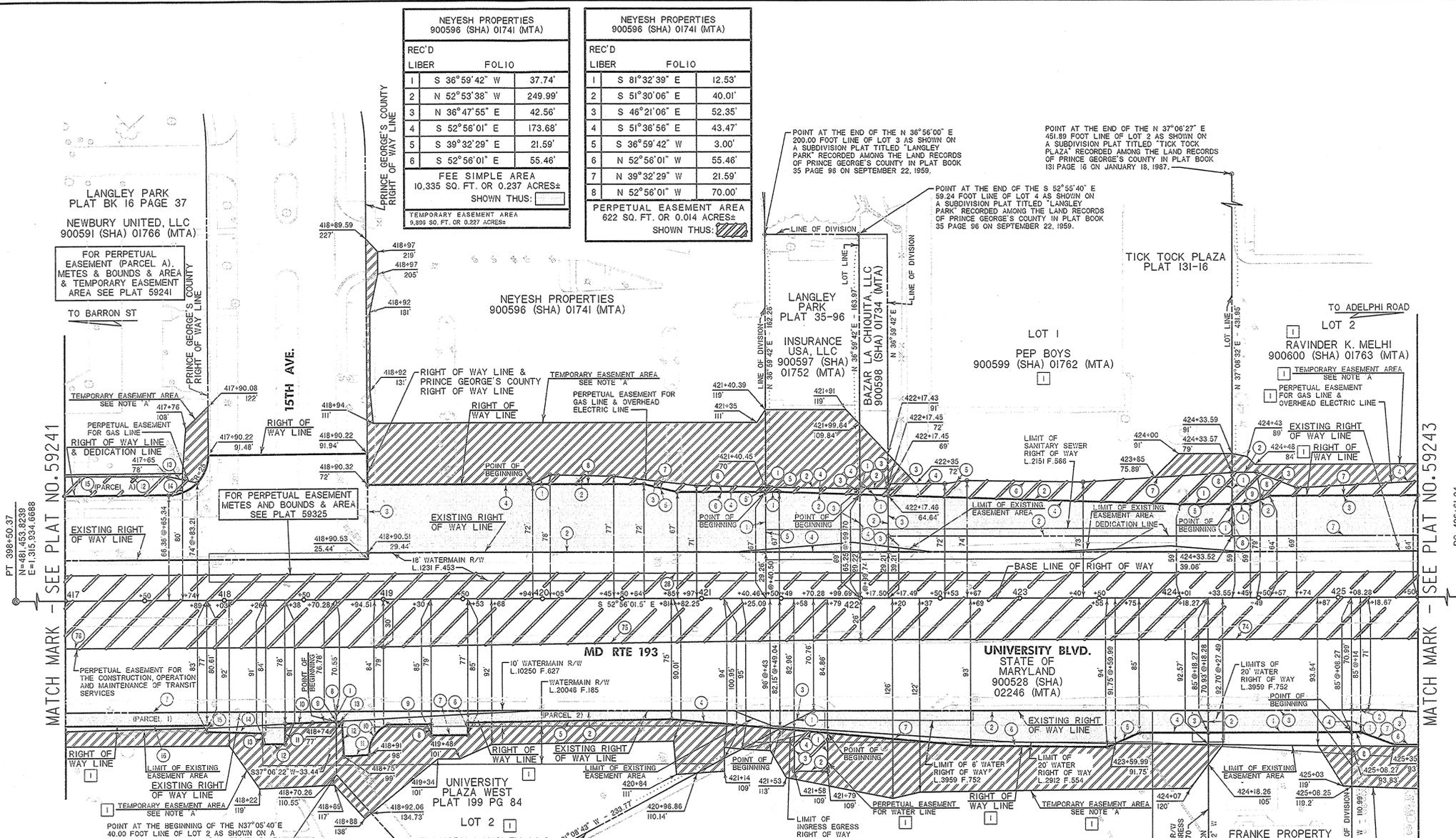
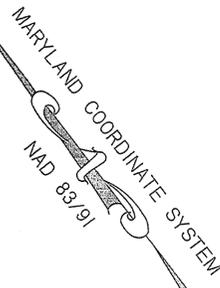
I HEREBY CERTIFY THAT THE PROPERTY LINES SHOWN HEREON ARE CORRECT AND ARE BASED ON THE FIELD SURVEY PERFORMED UNDER MY SUPERVISION, AND THE RECORD DESCRIPTIONS THEREOF, AND THAT THIS PLAT MEETS THE REQUIREMENTS AS CONTRACTED FOR BY THE MARYLAND DEPARTMENT OF TRANSPORTATION - STATE HIGHWAY ADMINISTRATION.



LEGEND  
REVERTIBLE EASEMENT FOR SUPPORTING SLOPES  
REVERTIBLE EASEMENT OR RIGHT FOR SPECIAL PURPOSE AS INDICATED BY NOTATION ON PLAT.  
PERPETUAL EASEMENT FOR SPECIAL PURPOSE AS INDICATED ON THIS PLAT.  
PERPETUAL EASEMENT FOR DRAINAGE FACILITY AS INDICATED BY NOTATION ON THIS PLAT.  
PERPETUAL EASEMENT TO DISCHARGE FLOW OF WATER FROM OR INTO EXISTING WATERWAY OR NATURAL DRAINAGE COURSE.  
PERPETUAL EASEMENT TO DISCHARGE FLOW OF WATER UPON EXISTING GROUND.  
APPROXIMATE GENERAL DRAINAGE FLOW PATTERN (NOT TO SCALE-FOR EXPLANATORY PURPOSE ONLY)

BOOKS	REVISIONS	PART OF PLATS	LOCATED IN
25653(NEW M&B) 25654(NEW M&B) 25666(TRAV) 25667(TRAV) 18761(TOPP) 44679(TOPP) 18643(TOPP) 31912(TOPP)	03/16/15	14153 (REV. 8/28/56) 10566 44605 (REV. 12/2/74) 44679 (REV. 7/8/75) 49852	PRINCE GEORGE'S COUNTY

DESIGNATION	NORTH	EAST	BOOK/PAGE	POINT DESCRIPTION
189PN	472167.972	1340549.923	25666/99	R & C
179PN	467724.249	1345215.283	25667/11	R & C



NEYESH PROPERTIES 900596 (SHA) 01741 (MTA)		
REC'D	FOLIO	
1	S 36°59'42" W	37.74'
2	N 52°53'38" E	249.99'
3	N 36°47'55" E	42.56'
4	S 52°56'01" E	173.68'
5	S 39°32'29" W	21.59'
6	S 52°56'01" E	55.46'

NEYESH PROPERTIES 900596 (SHA) 01741 (MTA)		
REC'D	FOLIO	
1	S 81°32'39" E	12.53'
2	S 51°30'06" E	40.01'
3	S 46°21'06" E	52.35'
4	S 51°36'56" E	43.47'
5	S 36°59'42" W	3.00'
6	N 52°56'01" W	55.46'
7	N 39°32'29" W	21.59'
8	N 52°56'01" W	70.00'

INSURANCE USA, LLC 900597 (SHA) 01752 (MTA)		
REC'D	FOLIO	
1	S 52°56'01" E	8.54'
2	S 50°57'32" E	50.73'
3	S 36°59'42" W	36.03'
4	N 52°53'38" W	59.24'
5	N 36°59'42" E	37.74'

INSURANCE USA, LLS 900597 (SHA) 01752 (MTA)		
REC'D	FOLIO	
1	N 36°59'42" E	3.00'
2	S 51°58'00" E	59.25'
3	S 36°59'42" W	3.75'
4	N 50°57'32" W	50.73'
5	N 52°56'01" W	8.54'

BAZAR LA CHIQUITA, LLC 900598 (SHA) 01734 (MTA)		
REC'D	FOLIO	
1	S 50°57'32" E	17.77'
2	S 36°59'42" W	35.43'
3	N 52°53'38" W	17.76'
4	N 36°59'42" E	36.03'

BAZAR LA CHIQUITA, LLC 900598 (SHA) 01734 (MTA)		
REC'D	FOLIO	
1	N 36°59'42" E	3.75'
2	S 52°56'01" E	17.76'
3	S 36°59'42" W	4.36'
4	N 50°57'32" W	17.77'

PEP BOYS 900599 (SHA) 01762 (MTA)		
REC'D	FOLIO	
1	S 37°08'32" E	19.94'
2	N 52°53'38" W	216.03'
3	N 36°59'42" E	25.43'
4	S 51°10'26" E	183.63'
5	S 52°56'01" E	32.55'

RAVINDER K. MELHI 900600 (SHA) 01763 (MTA)		
REC'D	FOLIO	
1	S 52°56'01" E	11.45'
2	S 75°33'13" E	13.00'
3	S 52°56'01" E	93.00'
4	S 55°28'43" E	45.04'
5	R = 28.00' L=44.47'	
6	CHD. N 75°11'31" E	39.25'
7	CHD. S 75°22'29" W	73.80'
8	N 52°53'38" W	139.96'
9	N 37°08'32" E	19.94'

PEP BOYS 900599 (SHA) 01762 (MTA)		
REC'D	FOLIO	
1	N 52°56'01" W	32.55'
2	N 51°10'26" W	183.63'
3	N 36°59'41" E	7.36'
4	S 52°56'01" E	35.55'
5	S 61°03'50" E	14.14'
6	S 52°08'56" E	73.01'
7	S 56°36'09" E	93.77'
8	S 37°08'32" W	20.00'

RAVINDER K. MELHI 900600 (SHA) 01763 (MTA)		
REC'D	FOLIO	
1	N 37°08'32" E	20.00'
2	S 52°56'01" E	15.43'
3	S 31°07'56" E	26.93'
4	S 55°47'30" E	140.39'
5	R = 26.00' L=22.34'	
6	CHD. N 80°25'29" W	21.66'
7	N 52°56'01" W	93.00'
8	N 75°33'13" W	13.00'
9	N 52°56'01" W	11.45'

JOHNSON AND JOHNSON AUTOMOTIVE, LLC 900595 (SHA) 01782 (MTA)		
REC'D	FOLIO	
1	N 52°56'01" W	90.00'
2	N 37°06'22" E	14.00'
3	S 52°53'38" E	90.07'
4	S 37°06'22" W	14.01'

RAVINDER K. MELHI 900600 (SHA) 01763 (MTA)		
REC'D	FOLIO	
1	N 37°08'32" E	20.00'
2	S 52°56'01" E	15.43'
3	S 31°07'56" E	26.93'
4	S 55°47'30" E	140.39'
5	R = 26.00' L=22.34'	
6	CHD. N 80°25'29" W	21.66'
7	N 52°56'01" W	93.00'
8	N 75°33'13" W	13.00'
9	N 52°56'01" W	11.45'

SHELLHORN LANGLEY LLC 900593 (SHA) 01798 (MTA) (PARCEL 2)		
REC'D	FOLIO	
1	N 37°06'22" E	6.56'
2	S 52°53'38" E	300.00'
3	N 81°08'43" W	24.11'
4	N 47°46'00" W	68.32'
5	N 53°49'44" W	128.02'
6	S 37°03'59" W	8.00'
7	N 52°56'01" W	23.00'
8	N 37°03'59" E	7.00'
9	N 52°56'01" W	27.00'
10	R = 19.00' L=24.04'	
11	CHD. S 69°20'31" W	22.47'
12	N 56°30'36" W	16.03'
13	N 34°27'49" E	22.02'
14	N 54°31'30" W	3.72'

UNIVERSITY PLAZA WEST PLAT 199 P. 84		
REC'D	FOLIO	
1	N 37°06'22" E	6.56'
2	S 52°53'38" E	300.00'
3	N 81°08'43" W	24.11'
4	N 47°46'00" W	68.32'
5	N 53°49'44" W	128.02'
6	S 37°03'59" W	8.00'
7	N 52°56'01" W	23.00'
8	N 37°03'59" E	7.00'
9	N 52°56'01" W	27.00'
10	R = 19.00' L=24.04'	
11	CHD. S 69°20'31" W	22.47'
12	N 56°30'36" W	16.03'
13	N 34°27'49" E	22.02'
14	N 54°31'30" W	3.72'

SHELLHORN LANGLEY, LLC 900593 (SHA) 01798 (MTA)		
REC'D	FOLIO	
1	N 37°06'22" E	6.56'
2	S 52°53'38" E	300.00'
3	N 81°08'43" W	24.11'
4	N 47°46'00" W	68.32'
5	N 53°49'44" W	128.02'
6	S 37°03'59" W	8.00'
7	N 52°56'01" W	23.00'
8	N 37°03'59" E	7.00'
9	N 52°56'01" W	27.00'
10	R = 19.00' L=24.04'	
11	CHD. S 69°20'31" W	22.47'
12	N 56°30'36" W	16.03'
13	N 34°27'49" E	22.02'
14	N 54°31'30" W	3.72'

HECHINGER PLAZA LIMITED PARTNERSHIP 900594 (SHA) 01783 (MTA)		
REC'D	FOLIO	
1	S 81°08'43" E	24.11'
2	S 52°53'38" E	248.00'
3	S 37°06'22" W	14.07'
4	N 52°56'01" W	43.27'
5	N 77°09'41" W	21.93'
6	N 52°16'03" W	86.01'
7	N 47°46'00" W	120.45'

HECHINGER PLAZA LIMITED PARTNERSHIP 900594 (SHA) 01783 (MTA)		
REC'D	FOLIO	
1	S 37°03'59" W	24.14'
2	N 52°56'01" W	21.00'
3	N 37°03'59" E	26.04'
4	S 47°46'00" E	21.09'

UPOB, LLC 900601 (SHA) 01784 (MTA)		
REC'D	FOLIO	
1	N 37°06'22" E	14.01'
2	S 52°53'38" E	10.39'
3	R = 401.26' L=180.01'	
4	CHD. S 40°02'33" E	178.50'
5	R = 200.00' L=35.42'	
6	N 35°07'03" W	35.37'
7	N 47°39'35" W	65.28'
8	N 51°57'46" W	59.01'
9	N 32°04'45" W	22.47'
10	N 52°56'01" W	5.73'

JOHNSON AND JOHNSON AUTOMOTIVE, LLC 900595 (SHA) 01782 (MTA)		
REC'D	FOLIO	
1	N 52°56'01" W	90.00'
2	N 37°06'22" E	14.00'
3	S 52°53'38" E	90.07'
4	S 37°06'22" W	14.01'

FRANKE PROPERTY PB 47 P. 70		
REC'D	FOLIO	
1	N 52°56'01" W	90.00'
2	N 37°06'22" E	14.00'
3	S 52°53'38" E	90.07'
4	S 37°06'22" W	14.01'

FRANKE PROPERTY PB WWW 74 P. 46		
REC'D	FOLIO	
1	N 52°56'01" W	90.00'
2	N 37°06'22" E	14.00'
3	S 52°53'38" E	90.07'
4	S 37°06'22" W	14.01'

UPOB, LLC 900601 (SHA) 01784 (MTA)		
REC'D	FOLIO	
1	N 37°06'22" E	14.01'
2	S 52°53'38" E	10.39'
3	R = 401.26' L=180.01'	
4	CHD. S 40°02'33" E	178.50'
5	R = 200.00' L=35.42'	
6	N 35°07'03" W	35.37'
7	N 47°39'35" W	65.28'
8	N 51°57'46" W	59.01'
9	N 32°04'45" W	22.47'
10	N 52°56'01" W	5.73'

JOHNSON AND JOHNSON AUTOMOTIVE, LLC 900595 (SHA) 01782 (MTA)		
REC'D	FOLIO	
1	N 52°56'01" W	90.00'
2	N 37°06'22" E	14.00'
3	S 52°53'38" E	90.07'
4	S 37°06'22" W	14.01'

MARYLAND TRANSIT ADMINISTRATION

STATE OF MARYLAND DEPARTMENT OF TRANSPORTATION STATE HIGHWAY ADMINISTRATION STATE ROADS COMMISSION

RIGHT OF WAY PROJECT: MARYLAND NATIONAL CAPITAL PURPLE LINE  
RIGHT OF WAY PROJECT NO.: 10420130  
FEDERAL AID PROJECT NO.: N/A  
ISSUED: May 8, 2014  
SCALE: 1" = 40'  
PLAT No. 59242

I HEREBY CERTIFY THAT THE PROPERTY LINES SHOWN HEREON ARE CORRECT AND ARE BASED ON THE FIELD SURVEY PERFORMED UNDER MY SUPERVISION, AND THE RECORD DESCRIPTIONS THEREOF, AND THAT THIS PLAT MEETS THE REQUIREMENTS AS CONTRACTED FOR BY THE MARYLAND DEPARTMENT OF TRANSPORTATION - STATE HIGHWAY ADMINISTRATION.  
JEFFREY L. BLEACH  
PROFESSIONAL LAND SURVEYOR MD REG. NO. 21307  
DATE: 3-16-2015



LEGEND  
REVERTIBLE EASEMENT FOR SUPPORTING SLOPES  
REVERTIBLE EASEMENT OR RIGHT FOR SPECIAL PURPOSE AS INDICATED BY NOTATION ON PLAT.  
PERPETUAL EASEMENT FOR SPECIAL PURPOSE AS INDICATED ON THIS PLAT.  
PERPETUAL EASEMENT FOR DRAINAGE FACILITY AS INDICATED BY NOTATION ON THIS PLAT.  
(ARROW INDICATES GENERAL DRAINAGE PATTERN)  
PERPETUAL EASEMENT TO DISCHARGE FLOW OF WATER FROM OR INTO EXISTING WATERWAY OR NATURAL DRAINAGE COURSE.  
PERPETUAL EASEMENT TO DISCHARGE FLOW OF WATER UPON EXISTING GROUND.  
APPROXIMATE GENERAL DRAINAGE FLOW PATTERN (NOT TO SCALE-FOR EXPLANATORY PURPOSE ONLY)

BOOKS	REVISIONS	PART OF PLATS	LOCATED IN
25653(NEW M&B) 25654(NEW M&B) 25666(TRAV) 25667(TRAV) 18761(TOPP) 44679(TOPP) 18643(TOPP) 31912(TOPP)	03/16/15	14153 (REV. 8/28/56) 10566 44605 (REV. 12/2/74) 44679 (REV. 7/8/75) 49852	PRINCE GEORGE'S COUNTY

DESIGNATION	NORTH	EAST	BOOK/PAGE	POINT DESCRIPTION
189PN	472167.972	1340549.923	25666/99	R & C
179PN	467724.249	1345215.283	25667/11	R & C

# SIGN POSTING AFFIDAVIT

I, Robert Begelman, hereby certify that the subject property was posted with  
(print or type name)

Six (6) sign(s) on January 30, 2024.  
(specify number) (date)

I further certify that the signs were inspected on February 12, 2024 (7 to 15 days after site was posted) and were maintained in a reasonable manner.

Signature: *Robert Begelman*

**DO NOT SUBMIT THIS AFFIDAVIT UNTIL THE SITE HAS BEEN INSPECTED.**

Application Number: DDS-22005 Application Name: UNIVERSITY PLACE SHOPPING CENTER

Contact Person & Telephone: Robert Begelman

Company Name & Address: University Place Center, LLC, 15942 Shady Grove Road, Gaithersburg, MD 20877

Capacity in which you are acting: Owner  
(owner, applicant, agent)

**Note:** Attach legible, photograph(s) showing sign(s) in place and at least one additional photograph from a distance sufficient to show physical improvements or natural characteristics to identify the subject property.

Return this affidavit, posting map and photographs **saved as one PDF and emailed to [PGCReferrals@ppd.mncppc.org](mailto:PGCReferrals@ppd.mncppc.org) Subject: DDS-22005-UNIVERSITY PLACE SHOPPING CENTER and "Posting Affidavit"** no later than 14 days prior to the Planning Board hearing date.

\* \* \* \* \*

**SIGN POSTING INFORMATION**

Application Number: DDS-22005

Application Name: UNIVERSITY PLACE SHOPPING CENTER

Date sign(s) were transmitted to applicant or applicant's agent: January 30, 2024

Number of signs transmitted: Six (6)

Person to whom signs were transmitted: Robert Begelman (Print)

**Understands the sign posting affidavit, map and photos must be emailed as one PDF to [PGCReferrals@ppd.mncppc.org](mailto:PGCReferrals@ppd.mncppc.org) with subject: Case Number-Name "Posting Affidavit" no later than 14 days before scheduled hearing.**

R Begelman (Signature)

Capacity in which that person was acting: Owner  
(owner, applicant, agent)

Date & Time of scheduled PLANNING BOARD HEARING: Thursday, @ 10:00am

Last date sign(s) can be posted: 1/30/2024 by 12midnight



**HEARING**  
NOTICE OF HEARING  
FOR THE PROPOSED  
CONSTRUCTION OF  
A NEW BUILDING  
AT THE CORNER OF  
[Address]  
[City, State, Zip]  
[Date]

China Buffet

AMERICAN  
RESTAURANT

CELEBRITY  
RESTAURANT

CAROLINA FURNITURE  
Cash Depot  
metro

CAROLINA FURNITURE  
Cash Depot  
metro

HEARING  
VI-CITY CALL





HEARING

Cash On Hand



**HEARING**  
Project Development  
Application  
301-699-CALL

CLOTHES SHOES WOP OFF

CASA DORA

Deli's Market

WALSH

WALSH

CP&P  
DPCB



CLOTHES & SHOES DROP OFF

total

**HEARING**  
Approved Development  
Application: [unclear]  
301-499-CALL



**HEARING**  
Proposed Development  
Application  
301-699-CALL



**PLANNING BOARD HEARING**

**Proposed Development**  
 (DD-22805 & DPL-5-22307)  
 Recordable fuel parking field due to acquisition of property by State Highway Administration to construct Purple Line

**Application:** University Place Shopping Center

**Application Contact:** Kevin Thomas, Planner  
 Phone: (301) 586-0027  
 Email: kthomas@planning.org

**Planning Board Hearing Information**  
 3:28 PM - 5:00 PM - VIRTUAL HEARING

**For more information about this project or to show a comment:**  
**301-699-CALL**  
 or email: [PCCF@planning.org](mailto:PCCF@planning.org)

PLANNING BOARD



**Business is Fully or Nearly Fully Open**  
 To ensure a safe and healthy environment for all, businesses and organizations are encouraged to follow the following guidelines:

**For more information:**  
 Visit [www.planning.org](http://www.planning.org) for more information on the current health and safety guidelines.

APPLICATION FORM

DO NOT WRITE IN THIS SPACE
Application No.(s): \_\_\_\_\_ Planning Board Review  Planning Director Review 
Acceptance Date: \_\_\_\_\_ 70-day limit: \_\_\_\_\_ Limit waived-New limit: \_\_\_\_\_
Posting Waived  Posting Date: \_\_\_\_\_ No. of Signs Posted: \_\_\_\_\_ Agenda Date: \_\_\_\_\_
Application Fee: \_\_\_\_\_ Posting Fee: \_\_\_\_\_ Case Reviewer: \_\_\_\_\_
Subdivision Development Review Committee Date: \_\_\_\_\_
Referral Mail-Out Date: \_\_\_\_\_ Referral Due Date: \_\_\_\_\_
Date of Informational Mailing: \_\_\_\_\_ Date of Acceptance Mailing: \_\_\_\_\_

APPLICATION TYPE: DDS  Revision of Case # \_\_\_\_\_ Companion Cases: DPLS-22007
Payment option:  Check (payable to M-NCPPC)  Credit Card General Plan Growth Policy:

PROJECT NAME: University Place Shopping Center
Complete address (if applicable) 1500 University Boulevard, Hyattsville, MD 20783 Tax Account #: 1904598
Geographic Location (distance related to or near major intersection) Police District #: |
Northeast quadrant of the intersection of University Boulevard and 15th Avenue

Table with 3 columns: Total Acreage: 2.0528, Aviation Policy Area: N/A, Election District: 17; Tax Map/Grid: 32/C3, Current Zone(s): LTO-c (C-S-C), Council District: 2; WSSC Grid: 209NE02, Existing Lots/Blocks/Parcels: P. 76, Dev. Review District: N/A; Planning Area: 65, In Municipal Boundary: No, Is development exempt from grading permit pursuant to 32-127(a)(6)(A):  Y  N

(2002) General Plan Tier:  Developed  Developing  Rural Area of proposed LOD: 4,400 square feet

Proposed Use of Property and Request of Proposal: Existing shopping center with 29,090 sq. ft. Applicant seeks DPLS and DDS to reconfigure parking lot after taking by SHA for Purple Line construction.
Please list and provide copies of resolutions of previously approved applications affecting the subject property: NA

Applicant Name, Address & Phone: University Place Center LLC, 15942 Shady Grove Road, Gaithersburg, MD 20877, (301) 873-4002
Owner Name, Address & Phone: Same
Consultant Name, Address & Phone: Gibbs and Haller, 1300 Caraway Court, Suite 102, Largo, MD 20774, (301) 306-0033
Contact Name, Phone & E-mail: Thomas H. Haller, (301) 306-0033, thaller@gibbshaller.com

SIGNATURE (Sign where appropriate; include Application Form Disclosure for additional owner's signatures)

R. Begelman 9-6-23
Owner's Signature typed & signed Date
ROBERT BEGELMAN

R. Begelman 9-6-23
Applicant's Signature typed & signed Date
ROBERT BEGELMAN

Contract Purchaser's Signature typed & signed Date

Applicant's Signature typed & signed Date

**SUBDIVISION CASES – PRELIMINARY PLAN/CONSERVATION SKETCH PLAN:**

**Type of Application (Check all that apply)**

Conventional  Comprehensive Design  Conservation Sketch Plan  Pre-Preliminary Plan

Variation, Variance or Alternative Compliance Request(s)

Yes  No

Applicable Zoning/Subdivision Regulation Section(s):

Total Number of Proposed:

Lots \_\_\_\_\_ Outlots \_\_\_\_\_ Parcels \_\_\_\_\_ Outparcels \_\_\_\_\_

Number of Dwelling Units:

Attached \_\_\_\_\_ Detached \_\_\_\_\_ Multifamily \_\_\_\_\_

Gross Floor Area (Nonresidential portion only):

**SUBDIVISION CASES – FINAL PLAT:**

Water/Sewer: DER  Health Dept.

Number of Plats:

CSP/DSP/SDP No.:

WSSC Authorization No.:

Preliminary Plan No.:

Approval Date of Preliminary Plan:

**URBAN DESIGN AND ZONING CASES:**

Details of Request:

The subject property contains an existing shopping center with 29,090 square feet. The frontage of the property along University Boulevard was taken for construction of the Purple Line. The Applicant proposes to reconfigure the parking spaces, using 9' X 18' spaces instead of 9.5' X 18' spaces.

Zoning Ordinance Section(s):

Section 27-558 and 27-239.01

Total Number of Proposed:

Lots \_\_\_\_\_ Outlots \_\_\_\_\_ Parcels \_\_\_\_\_ Outparcels \_\_\_\_\_

Number of Dwelling Units:

Attached \_\_\_\_\_ Detached \_\_\_\_\_ Multifamily \_\_\_\_\_

Gross Floor Area (Nonresidential portion only):

Variance Request

Yes  No

Applicable Zoning/Subdivision Regulation Section(s):

Departure Request

Yes  No

Application Filed

Yes  No

Alternative Compliance Request

Yes  No

Application Filed

Yes  No

## APPLICATION FORM

**DO NOT WRITE IN THIS SPACE**

Application No.(s): \_\_\_\_\_ Planning Board Review  Planning Director Review   
 Acceptance Date: \_\_\_\_\_ 70-day limit: \_\_\_\_\_ Limit waived-New limit: \_\_\_\_\_  
 Posting Waived  Posting Date: \_\_\_\_\_ No. of Signs Posted: \_\_\_\_\_ Agenda Date: \_\_\_\_\_  
 Application Fee: \_\_\_\_\_ Posting Fee: \_\_\_\_\_ Case Reviewer: \_\_\_\_\_  
 Subdivision Development Review Committee Date: \_\_\_\_\_  
 Referral Mail-Out Date: \_\_\_\_\_ Referral Due Date: \_\_\_\_\_  
 Date of Informational Mailing: \_\_\_\_\_ Date of Acceptance Mailing: \_\_\_\_\_

APPLICATION TYPE: DPLS  Revision of Case # \_\_\_\_\_ Companion Cases: DDS-22005  
 Payment option:  Check (payable to M-NCPPC)  Credit Card General Plan Growth Policy:

**PROJECT NAME:** University Place Shopping Center  
 Complete address (if applicable) 1500 University Boulevard, Hyattsville, MD 20783 Tax Account #: 1904598  
 Geographic Location (distance related to or near major intersection) Police District #: |  
 Northeast quadrant of the intersection of University Boulevard and 15th Avenue

Total Acreage: 2.0528	Aviation Policy Area: N/A	Election District: 17
Tax Map/Grid: 32/C3	Current Zone(s): LTO-c (C-S-C)	Council District: 2
WSSC Grid: 209NE02	Existing Lots/Blocks/Parcels: P. 76	Dev. Review District: N/A
Planning Area: 65	In Municipal Boundary: <b>No</b>	Is development exempt from grading permit pursuant to 32-127(a)(6)(A): <input type="checkbox"/> Y <input checked="" type="checkbox"/> N

(2002) General Plan Tier:  Developed  Developing  Rural Area of proposed LOD: 4,400 sf

<p><b>Proposed Use of Property and Request of Proposal:</b>                  Existing shopping center with 29,090 sq. ft. Applicant seeks DPLS to reduce the required parking from 124 spaces to 107 spaces due to a taking of the property frontage for the construction of the Purple Line. A departure of 17 parking spaces is requested.</p>	<p><b>Please list and provide copies of resolutions of previously approved applications affecting the subject property:</b>                  NA</p>
--	---

<p><b>Applicant Name, Address &amp; Phone:</b>                  University Place Center LLC                  15942 Shady Grove Road                  Gaithersburg, MD 20877                  (301) 873-4002</p> <p><b>Owner Name, Address &amp; Phone:</b>                  (if same as applicant indicate same/corporation see Disclosure)                  Same</p>	<p><b>Consultant Name, Address &amp; Phone:</b>                  Gibbs and Haller                  1300 Caraway Court, Suite 102                  Largo, MD 20774                  (301) 306-0033</p> <p><b>Contact Name, Phone &amp; E-mail:</b>                  Thomas H. Haller                  (301) 306-0033                  thaller@gibbshaller.com</p>
---	--

**SIGNATURE** (Sign where appropriate; include Application Form Disclosure for additional owner's signatures)

R. Beigelman 9-6-23  
 Owner's Signature typed & signed Date  
**ROBERT BEGELMAN**

R. Beigelman 9-6-23  
 Applicant's Signature typed & signed Date  
**ROBERT BEGELMAN**

Contract Purchaser's Signature typed & signed \_\_\_\_\_ Date \_\_\_\_\_

Applicant's Signature typed & signed \_\_\_\_\_ Date \_\_\_\_\_

**SUBDIVISION CASES – PRELIMINARY PLAN/CONSERVATION SKETCH PLAN:**

**Type of Application (Check all that apply)**

Conventional       Comprehensive Design       Conservation Sketch Plan       Pre-Preliminary Plan

Variation, Variance or Alternative Compliance Request(s)  
 Yes       No

Applicable Zoning/Subdivision Regulation Section(s):

**Total Number of Proposed:**

Lots \_\_\_\_\_ Outlots \_\_\_\_\_ Parcels \_\_\_\_\_ Outparcels \_\_\_\_\_

**Number of Dwelling Units:**

Attached \_\_\_\_\_ Detached \_\_\_\_\_ Multifamily \_\_\_\_\_

**Gross Floor Area (Nonresidential portion only):**

**SUBDIVISION CASES – FINAL PLAT:**

Water/Sewer:      DER       Health Dept.

Number of Plats:

CSP/DSP/SDP No.:

WSSC Authorization No.:

Preliminary Plan No.:

Approval Date of Preliminary Plan:

**URBAN DESIGN AND ZONING CASES:**

**Details of Request:**

The subject property contains an existing shopping center with 29,090 square feet. The frontage of the property along University Boulevard was taken for construction of the Purple Line, reducing the number of available spaces. The Applicant proposes to reconfigure the parking. A total of 107 spaces is proposed, requiring a departure of 17 spaces.

**Zoning Ordinance Section(s):**

Section 27-568 and 27-239.01

**Total Number of Proposed:**

Lots \_\_\_\_\_ Outlots \_\_\_\_\_ Parcels \_\_\_\_\_ Outparcels \_\_\_\_\_

**Number of Dwelling Units:**

Attached \_\_\_\_\_ Detached \_\_\_\_\_ Multifamily \_\_\_\_\_

**Gross Floor Area (Nonresidential portion only):**

**29,090 square feet**

**Variance Request**

Yes       No

Applicable Zoning/Subdivision Regulation Section(s):

**Departure Request**

Yes       No

**Application Filed**

Yes       No

**Alternative Compliance Request**

Yes       No

**Application Filed**

Yes       No

**APPLICATION FOR WOODLAND CONSERVATION LETTER OF EXEMPTION (WCO-Ex)**

**APPLICANT TO FILL OUT THIS SECTION - Refer to [www.PGAtlas.com](http://www.PGAtlas.com) for Information**  
 HOVER OVER BLANK FIELDS FOR ADDITIONAL INFORMATION

<b>Property Owner</b> Name, Address, and Contact Info:	<b>Agent/Contact</b> Name, Company, Address, Phone & E-mail:
--	--

<b>Payment by check, money order, or cashier's check ONLY – made payable to M-NCPPC</b> Please indicate name of project, address, or other identifying information on payment. <i>Do not staple payment.</i>	<b>Agent/Contact</b>
Name on Check: _____ Check No. _____	Signature: _____
<b>APPLICATION FEE - \$50.00</b> Gov't Projects - Fee Waived	Date: _____

**PROJECT/PROPERTY NAME:**

Street Address (if available), *otherwise* Geographic Location in relation to nearest major road intersection:

Companion Case(s) and/or Resolution(s) - Preliminary Plan, Site Plan, Special Exception, etc.:

Total Area (acres): _____	Tax Account #(s): _____	
Total Number of Lots _____ and/or Parcels: _____	Current Zone(s): _____	WSSC Grid: _____
Lot/Block/Parcel(s): _____	Proposed Woodland Clearing (ft <sup>2</sup> ): _____	Environmental Strategy Area (ESA): <small>Located under the Environmental heading in PGAtlas</small> <b>1    2    3    4</b>
Proposed Activity: _____		

**SITE PLAN:** Preparer Qualifications:

Date: \_\_\_\_\_ Prepared by: \_\_\_\_\_ Firm: \_\_\_\_\_ ID #: \_\_\_\_\_

**RESPONSE (TO BE COMPLETED BY EPS STAFF)**

<b>APPROVAL TYPE:</b>	Numbered Exemption	Standard Exemption	<b>Exemption Number:</b>
Staff Reviewer: _____	Receipt Number: _____	Filing Fee: _____	

Your request for a **Standard Letter of Exemption** from the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO) is hereby **approved**. This Standard Letter of Exemption is issued because the property has no previous TCP approvals and:

- Is less than 40,000 square feet in size; and/or
- Contains less than 10,000 square feet of woodland; or
- The project is subject to the Maryland Forest Conservation Act and will be reviewed by Department of Natural Resources

Your request for a **Numbered Letter of Exemption** from the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO) is hereby **approved**. This Letter of Exemption is issued because the site is over 40,000 square feet in size and contains over 10,000 square feet of woodland; however the project has no previous TCP approvals and:

- Results in the clearing of less than 5,000 square feet of woodland. Proposed clearing is \_\_\_\_\_ ft<sup>2</sup>. *If application is for a Revision, cumulative clearing to date (not including currently proposed) is \_\_\_\_\_ ft<sup>2</sup>.*
- The activity is a government or linear project that results in the clearing of less than 20,000 square feet of woodland. Proposed clearing is \_\_\_\_\_ ft<sup>2</sup>. *Revisions: cumulative clearing to date (not including currently proposed) is \_\_\_\_\_ ft<sup>2</sup>; or*
- The proposed activity is for a timber harvest.

**This letter is valid for two years from the date of approval, or until such time as the cumulative woodland clearing exceeds the maximum amount specified above. If a development review application (preliminary plan, detailed site plan, etc.) is required, a Numbered Exemption may be considered invalid in accordance with Section 25-119(b)(5)(A).**  
**A copy of this letter must be submitted at the time of development activity or permit application.**

Staff Signature Approval: _____	Approval Date: _____
	Expiration Date: _____

**STATEMENT OF JUSTIFICATION  
DEPARTURE FROM DESIGN STANDARDS  
DDS-22005  
UNIVERSITY PLACE SHOPPING CENTER  
August 15, 2023**

**APPLICANT**

University Place Center, LLC  
RB-UP LLC  
15942 Shady Grove Road  
Gaithersburg, MD 20877  
Contact: Robert Begelman  
(301) 873-4002

**ATTORNEY**

Gibbs and Haller  
1300 Caraway Court, Suite 102  
Largo, Maryland 20774  
Contact: Thomas Haller  
301-306-0033

**ENGINEER**

Design Engineering Inc.  
18229-A Flower Hill Way  
Flower Hill Professional Center  
Gaithersburg, MD 20879  
Contact: Pritam Arora  
301-258-1173 X 102

**TABLE OF CONTENTS**

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## **1.0 INTRODUCTION/OVERVIEW**

The applicant for this Departure from Design Standards is University Place Center, LLC ("Applicant"). The Applicant is also the majority owner of the property which is the subject of this application, known as the University Place Shopping Center. A companion Departure from the Number of Parking and Loading Standards, referenced as DPLS-22007 has also been filed and will be processed concurrently with this application.

The property which is the subject of this application is located at 1500 University Boulevard, Hyattsville, Maryland 20783. The property may be more particularly described as Parcel 76 on Tax Map 32, Grid C-3 (the "Subject Property"). As will be described in greater detail below, the purpose of these companion applications is to permit the Applicant to reconfigure an existing parking lot serving the shopping center as the result of a taking of land by the Maryland Department of Transportation ("MDOT") to construct the Purple Line along University Boulevard. This taking reduced the size of the parking lot such that the property no longer has the minimum number of parking spaces required. If approved, these applications will allow the Applicant to modify the parking lot and increase the number of parking spaces which currently exist. Doing so will allow the Applicant to provide enough spaces to meet the needs of the

existing and future tenants and to create a layout that provides safe and adequate circulation.

## **2.0 SUBJECT PROPERTY**

The Subject Property is in the northeast corner of the intersection of University Boulevard and 15th Avenue. The Subject Property is currently zoned LTO-c but was zoned C-S-C under the prior Zoning Ordinance. The Subject Property is improved with a shopping center containing a total of 29,090 square feet, originally constructed in or about 1959. The Subject Property is fully leased to five tenants—two eating and drinking establishments, a pawnshop, a laundromat/hair salon and a dialysis center. Parking is provided based upon the requirements for an integrated shopping center, with the exception of the dialysis center. The dialysis center is parked as a medical clinic because it exceeds 20% of the gross leasable area of the shopping center. The required parking is 124 parking spaces. Prior to the taking by MDOT, the shopping center had a total of 125 parking spaces.

## **3.0 JUSTIFICATION FOR FILING APPLICATION PURSUANT TO OLD ZONING ORDINANCE**

The Zoning Ordinance which went into effect on April 1, 2022 permits applications to be filed pursuant to the provisions of the prior Zoning Ordinance. The Applicant submits this application pursuant to the provisions of the prior Zoning

Ordinance. Section 27-1904(b) requires that a Justification Statement be included with any application filed under the provisions of the prior Zoning Ordinance. The attorney for the Applicant explored the feasibility of addressing the parking issue under the current Zoning Ordinance since in the LTO-c Zone, no minimum parking is required and a DPLS would not have been necessary. However, transitioning to the new Zoning Ordinance would have triggered use issues and any future modification to the building would have triggered requirements that the site cannot meet. After extensive discussion with Deputy Director Derick Berlage, it was agreed that proceeding under the provisions of the prior Zoning Ordinance was the best course of action in this instance.

#### **4.0 DEVELOPMENT HISTORY OF PROPERTY**

As noted above, the existing shopping center was constructed in or around 1959. In December 1986, the property was conveyed to N'Eyesh Properties. This entity ultimately became University Place Center, LLC, the Applicant. Thus, the Applicant has owned the property for over 36 years. Despite its age, the property has been well maintained and 100% occupied. It is located in a highly populated area and many of the customers of the center arrive by foot. After the Subject Property was developed, changes in development regulations which occurred over the years caused the existing improvements to no longer comply with all of

the requirements of the Zoning Ordinance. As a result, the Applicant sought and obtained variances to bring the existing improvements in conformance with current requirements.

**NOTE:** The following variances were heard and approved by the Board of Zoning Appeals on 9-14-1988, 3-22-1989 and 4-5-1989. (BZA Case No. 9498.)

<u>Section of Ordinance</u>	<u>Requirement Summarized</u>	<u>Extent of Variance</u>
27.450(a)(1)	10' landscape strip	10'
27.450(a)(2)	½ of yards landscaped and screening	full
27.462(b)	building setbacks: 10' from street; 25' rear; 12' side	full
27.462(b)	street deemed to be 70' wide	existing r.o.w. to suffice

In addition to the variances listed above, an addition was constructed onto the shopping center prior to 1965 that encroached into the right of way for 15<sup>th</sup> Avenue. In order to validate this encroachment, the Applicant filed Vacation Petition No. V-91075 to vacate a portion of the right of way to allow this addition to remain. That Petition to Vacate the right of way of 15<sup>th</sup> Avenue was approved by the Prince George's County Planning Board pursuant to Prince George's County Planning Board Resolution No. 91-431.

## **5.0 DEVELOPMENT PROPOSAL**

As noted above, the Subject Property has been impacted by the construction of the Purple Line, which extends along the north side of University Boulevard. In fact, the State Highway Administration has now acquired 10,335 square feet of the Subject Property, roughly taking 40 feet of land measured from the prior right-of-way line. The taking of this land removes over 40 parking spaces, which will reduce the parking below what the Applicant believes is necessary to support the existing and future tenants. Thus, the Applicant is seeking to reconfigure the front parking field to recoup as many spaces as possible. To do this, two applications will be required. First, the Applicant is seeking to utilize 9' X 18' parking spaces rather than 9.5' X 19' parking spaces to provide a few more spaces and provide more room for driveway aisles. Second, the Applicant will only be able to provide a total of 107 parking spaces following the reconfiguration, which is still less than the minimum required. Thus, a Departure from the Number of Parking and Loading Spaces of 14 spaces will be required. SHA has recently begun mobilizing for construction and the impact of this activity on the availability of parking accentuates the need for the Applicant needs to obtain approval of a new site plan and to be in a position to obtain a new use and occupancy permit if a tenant leaves.

## SUMMARY OF REQUIRED DEPARTURE

The regulations governing the design of off-street parking and loading spaces are set forth in Part 11 of the Prince George's County Zoning Ordinance. Section 27-558(a) governs the size of parking spaces. This Section provides that nonparallel standard car spaces shall measure 19' x 9½' and permits up to one-third of the required spaces to be compact car spaces measuring 8' x 16½'. By reconfiguring the remaining parking lot, the applicant is providing 107 parking spaces, with 77 spaces measuring 18' x 9', 25 compact space and 5 handicapped spaces.

It is noted that under the provisions of the current Zoning Ordinance, the standard size of a parking space is now 9' X'18'. Since this application is filed pursuant to the provisions of the former Zoning Ordinance, where the standard parking space size is 9.5' X 19 feet, this departure is required. The Applicant submits that there is ample justification for modifying the size of the parking spaces provided on site.

Maximizing the number of parking spaces within the remaining paved area is critical to satisfying the parking needs of the shopping center. The parking space size of 9' X 18' has been adopted by many local jurisdictions, including Montgomery and Prince George's County. The modest reduction in the depth and width of the spaces from the standard in the former Zoning Ordinance allows for adequate aisle widths to be provided and

allows for a few additional parking spaces over that which could be achieved without the departure.

### **CRITERIA FOR APPROVAL**

The criteria for approval of a Departure from Design Standards are set forth in Section 27-239.01(b) (7) (A). In order for the Planning Board to grant a departure, it shall make the following findings:

**(1) The purposes of this Subtitle will be equally well or better served by the applicant's proposal;**

The purposes of Part 11 of the Zoning Ordinance addressing Parking and Loading are found in Section 27-550. For parking, the primary purpose is to ensure that all buildings and uses provide off street parking which is "...sufficient to serve the parking and loading needs of all persons associated with the buildings and uses." The applicant submits that the purposes of the parking and loading regulations will be equally well or better served by the proposed site plan.

The applicant is proposing that all parking spaces, except for compact spaces and the spaces provided for the physically handicapped, be 9' x 18'. Section 27-558(a) requires that standard nonparallel parking spaces measure 9½' x 19' while nonparallel compact car spaces must be 16½' x 8'. The difference between the required standard car space measurement and the 9' x 18' space the applicant is proposing is insignificant as they

provide ample room for vehicles to park safely on site and are a common space size in the region. Reducing the parking space size is critical, however, to maximize the number of parking spaces on site and providing driveway aisle widths that meet the requirements of the Zoning Ordinance. This creates a more efficient and functional parking layout and will serve the purposes of the subtitle equally well.

**(2) The departure is the minimum necessary, given the specific circumstances of the request;**

The departure from Section 27-558(a) sought by the applicant for its proposed 9' x 18' parking spaces is the minimum necessary given the specific circumstances of this request. As noted above, the reduction in the size of the parking lot requires the remaining parking area to be reconfigured. There is no other place on the Subject Property to add additional property and maximizing the available space can be accomplished by a small reduction in the parking space size. This will allow the reconfigured parking lot to operate efficiently without reducing the parking space size below that which is functional.

**(iii) The departure is necessary in order to alleviate circumstances which are unique to this site or prevalent in areas of the County developed prior to November 29, 1949;**

As discussed under the development history of the Subject Property, the existing buildings were constructed in 1959.

However, the departure is necessary to alleviate circumstances unique to the site, as it is one of the properties impacted by takings needed to construct the Purple Line. The reduction in the area of the parking lot requires a reconfiguration and since that reconfiguration cannot reclaim all of the parking which previously existed, the Applicant seeks to maximize the number of spaces while still creating a fully safe and functional parking lot. Allowing a modest reduction in the width and length of the standard size spaces to the standard contained in the new Zoning Ordinance is necessary to alleviating the impact of the Purple Line taking.

**(iv) The departure will not impair the visual, functional, or environmental quality or integrity of the site or of the surrounding neighborhood;**

The applicant submits that the requested departure will not impair the visual, functional, or environmental quality or integrity of the site or of the surrounding neighborhood. The Subject Property has operated for over 60 years with a parking field between the building and University Boulevard. The reconfiguration of the parking area is required as a result of the Purple Line taking. Maximizing the number of spaces which can be provided will not in any way impair the visual integrity of the site or the functional quality or integrity of the site. The restriping of the parking lot, relocation of a few landscape islands and replanting of trees and shrubs which have died over

the years will, in fact, improve the visual and environmental quality and integrity of the site and the surrounding neighborhood.

The departure from Section 27-558(a) will allow the site to provide adequately sized spaces and driveway aisles to accommodate all types of vehicles visiting the site.

**CONCLUSION**

Based on all the foregoing reasons, the applicant respectfully requests approval of the requested departure.

Respectfully submitted,



---

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**STATEMENT OF JUSTIFICATION  
DEPARTURE FROM DESIGN STANDARDS  
DPLS-22007  
UNIVERSITY PLACE SHOPPING CENTER  
AUGUST 15, 2023**

**APPLICANT**

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## **1.0 INTRODUCTION/OVERVIEW**

The applicant for this Departure from Design Standards is University Place Center, LLC ("Applicant"). The Applicant is also the majority owner of the property which is the subject of this application, known as the University Place Shopping Center. A companion Departure from Design Standards, referenced as DDS-22005, has also been filed and will be processed concurrently with this application.

The property which is the subject of this application is located at 1500 University Boulevard, Hyattsville, Maryland 20783. The property may be more particularly described as Parcel 76 on Tax Map 32, Grid C-3 (the "Subject Property"). As will be described in greater detail below, the purpose of these companion applications is to permit the Applicant to reconfigure an existing parking lot serving the shopping center as the result of a taking of land by the Maryland Department of Transportation ("MDOT") to construct the Purple Line along University Boulevard. This taking reduced the size of the parking lot such that the property no longer has the minimum number of parking spaces required. If approved, these applications will allow the Applicant to modify the parking lot and maximize the number of spaces within the remaining parking lot. Doing so will allow the Applicant to provide enough spaces to meet the needs of the

existing and future tenants and to create a layout that provides safe and adequate circulation.

## **2.0 SUBJECT PROPERTY**

The Subject Property is in the northeast corner of the intersection of University Boulevard and 15th Avenue. The Subject Property is currently zoned LTO-c but was zoned C-S-C under the prior Zoning Ordinance. The Subject Property is improved with a shopping center containing a total of 29,090 square feet, originally constructed in or about 1959. The Subject Property is fully leased to five tenants—two eating and drinking establishments, a pawnshop, a laundromat/hair salon and a dialysis center. Parking is provided based upon the requirements for an integrated shopping center, with the exception of the dialysis center. The dialysis center is parked as a medical clinic because it exceeds 20% of the gross leasable area of the shopping center. The required parking is 124 parking spaces. Prior to the taking by MDOT, the shopping center had a total of 125 parking spaces.

## **3.0 JUSTIFICATION FOR FILING APPLICATION PURSUANT TO OLD ZONING ORDINANCE**

The Zoning Ordinance which went into effect on April 1, 2022 permits applications to be filed pursuant to the provisions of the prior Zoning Ordinance. The Applicant submits this application pursuant to the provisions of the prior Zoning

Ordinance. Section 27-1904(b) requires that a Justification Statement be included with any application filed under the provisions of the prior Zoning Ordinance. The attorney for the Applicant explored the feasibility of addressing the parking issue under the current Zoning Ordinance since in the LTO-c Zone, no minimum parking is required and a DPLS would not have been necessary. However, transitioning to the new Zoning Ordinance would have triggered use issues and any future modification to the building would have triggered requirements that the site cannot meet. After extensive discussion with Deputy Director Derick Berlage, it was agreed that proceeding under the provisions of the prior Zoning Ordinance was the best course of action in this instance.

#### **4.0 DEVELOPMENT HISTORY OF PROPERTY**

As noted above, the existing shopping center was constructed in or around 1959. In December 1986, the property was conveyed to N'Eyesh Properties. This entity ultimately became University Place Center, LLC, the Applicant. Thus, the Applicant has owned the property for over 36 years and is intimately familiar with the operation of the center, the needs of the existing tenants and the number of parking spaces which will be needed to serve the needs of the tenants. Despite its age, the property has been well maintained and 100% occupied. It is located in a highly populated area and many of the customers of the center arrive by

foot. After the Subject Property was developed, changes in development regulations which occurred over the years caused the existing improvements to no longer comply with all of the requirements of the Zoning Ordinance. As a result, the Applicant sought and obtained variances to bring the existing improvements in conformance with current requirements.

**NOTE:** The following variances were heard and approved by the Board of Zoning Appeals on 9-14-1988, 3-22-1989 and 4-5-1989. (BZA Case No. 9498.)

<u>Section of Ordinance</u>	<u>Requirement Summarized</u>	<u>Extent of Variance</u>
27.450(a)(1)	10' Landscape strip	10'
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27.462(b)	building setbacks: 10' from street; 25' rear; 12' side	full
27.462(b)	street deemed to be 70' wide	existing r.o.w. to suffice

In addition to the variances listed above, an addition was constructed onto the shopping center prior to 1965 that encroached into the right of way for 15<sup>th</sup> Avenue. In order to validate this encroachment, the Applicant filed Vacation Petition No. V-91075 to vacate a portion of the right of way to allow this addition to remain. That Petition to Vacate the right of way of 15<sup>th</sup> Avenue was approved by the Prince George's County Planning

Board pursuant to Prince George's County Planning Board  
Resolution No. 91-431.

## **5.0 DEVELOPMENT PROPOSAL**

As noted above, the Subject Property has been impacted by the construction of the Purple Line, which extends along the north side of University Boulevard. In fact, the State Highway Administration has now acquired 10,335 square feet of the Subject Property, roughly taking 40 feet of land measured from the prior right-of-way line. The taking of this land removes over 40 parking spaces, which will reduce the parking below what the Applicant believes is necessary to support the existing and future tenants. Thus, the Applicant is seeking to reconfigure the front parking field to recoup as many spaces as possible. To do this, two applications will be required. First, the Applicant is seeking to utilize 9' X 18' parking spaces rather than 9.5' X 19' parking spaces to provide a few more spaces and provide more room for driveway aisles. This is the subject of the companion Departure from Design Standards. Second, the Applicant will only be able to provide a total of 107 parking spaces following the reconfiguration, which is still less than the minimum required—although it is 22 more spaces than remain after the taking. Thus, this Departure from the Number of Parking and Loading Spaces is also required to reduce the number of spaces required from 124 to 107 (a reduction of 17 spaces). SHA has recently

begun mobilizing for construction and the impact of this activity on the availability of parking accentuates the need for the Applicant needs to obtain approval of a new site plan and to be able to obtain a new use and occupancy permit if a tenant leaves.

## **6.0 SUMMARY OF REQUIRED DEPARTURE**

The regulations governing the design of off-street parking and loading spaces are set forth in Part 11 of the Prince George's County Zoning Ordinance. The minimum number of parking spaces required is set forth in Section 27-568 of the Zoning Ordinance. As noted above, the Subject Property is improved with an integrated shopping center containing a total of 29,090 square feet, originally constructed in or about 1959. The Subject Property is fully leased to five tenants—two eating and drinking establishments, a pawnshop, a laundromat/hair salon and a dialysis center. While integrated shopping centers with more than 25,000 feet are typically parked at a ratio of one parking space per 25,000 square feet, that ratio does not apply to medical practitioner's offices (medical clinics) when the square footage devoted to such uses exceeds 20% of the total shopping center. In this case, the dialysis center contains a total of 6,986 square feet, or 24% of the total shopping center. This requires the number of spaces devoted to the medical offices to be calculated at 1 space per 200 square feet. Under this calculation, 35 parking spaces are required for the dialysis

center and 89 parking spaces are required for the retail uses, for a total of 124 parking spaces.

While 125 parking spaces existing prior to the Purple Line taking, the area required for the Purple Line contained all or part of 40 spaces. Not only did this reduce the number of spaces on site to approximately 85 spaces, all the remaining spaces are not accessible, requiring a reconfiguration of the parking lot. If reconfigured as proposed (and assuming approval of the companion DDS), the Applicant will be able to have a total of 107 parking spaces, 17 less than required, but 22 more than remain after the taking.

## **7.0 CRITERIA FOR APPROVAL**

Departures from the off-street parking requirements may be granted by the Planning Board in accordance with the provisions of Section 27-588 of the Prince George's County Zoning Ordinance. Section 27-588(b)(8) sets forth the required findings which the Planning Board must make in order to grant a requested departure from the off-street parking requirements. Those findings are as follows:

- (1) That the purposes of this Part will be served by the applicant's request;**

The purposes of the parking requirements are set forth in Section 27-550. Those purposes generally are to ensure that any use provides sufficient off-street parking to service said use and to lessen traffic congestion on the streets by reducing the

use of the streets for parking. The applicant submits that its proposal in this case satisfies the purposes for requiring off-street parking.

As set forth above, the Subject Property is improved with an integrated shopping center exceeding 25,000 square feet. If no medical use occupied the shopping center, a total of 117 parking spaces would be provided. However, the dialysis center increases the number of required spaces to 124. A total of 107 spaces will exist after reconfiguring the parking lot. For the reasons set forth below, the Applicant submits that the number of spaces provided is adequate to serve the needs of the shopping center.

First, as noted above, the Applicant has owned the shopping center for over 30 years and is intimately familiar with its operations. Due to its location in an urban area of the County, many of the customers patronizing the center arrive by foot or by bus, reducing the number of parking spaces required. A WMATA bus stop is located on University Boulevard directly across 15<sup>th</sup> Avenue from the Subject Property. In addition, the reduction in the number of spaces resulting from the construction of the Purple Line is offset by the fact that light rail transit is being constructed, with the proposed station less than 300 feet from the Subject Property. The proximity of mass transit, the availability of bus service and the urban nature of the area reduce the reliance on automobiles to access the center. The

proximity of the proposed Riggs Road Station Platform to the Subject Property can be seen on the image below:



The reduced need for parking spaces is further evidenced by the fact that under the new Zoning Ordinance, parking regulations were revised to reflect the reduced need for minimum parking requirements in transit-oriented areas and inside the Capital Beltway. As referenced above, in the LTO-c Zone, there is no minimum parking requirement. Further, in any other zone inside the Capital Beltway, for a shopping center of this size, the minimum parking requirement is one space per 300 square feet of retail and one space per 400 square feet of office. Utilizing these ratios, the total number of required parking spaces would be 92 spaces. While these regulations are not applicable to the Subject Property, they demonstrate that 107 parking spaces which

will result from the reconfiguration of the parking lot are sufficient to meet the needs of an integrated shopping center in close proximity to mass transit located inside the Capital Beltway.

The Applicant would also note, as discussed in greater detail below, that an October 2021 parking study conducted by the Maryland-National Capital Park and Planning Commission for the Takoma/Langley Crossroads area found that there was not a shortfall of available parking for the commercial areas within the boundaries of the study, which included the Subject Property. Concerns were raised by some commercial properties, however, about the loss of parking caused by the Purple Line and the need to reconfigure parking lots, as is proposed in this application.

Based on all of the above, the applicant submits that it is clear that the requested departure would, if granted, satisfy the purposes of the parking regulations set forth in Section 27-550 and would in no way impair any of the purposes of the Zoning Ordinance generally.

**(2) The departure is the minimum necessary, given the specific circumstances of the request;**

The request which the applicant is making is the minimum necessary. The taking of land by the Purple Line reduces the size of the existing parking lot and impacts the ability to access the remaining parking spaces. Thus, the parking lot needs

to be reconfigured. With the reduction in the size of a standard size parking space to 9' X 18' requested in the DDS, the Applicant is able to provide a total of 107 parking spaces. This is the maximum number that can reasonably be located on site. With 124 spaces required, the departure of 17 spaces is the minimum departure necessary, given the specific circumstance of the request.

**(3) The departure is necessary in order to alleviate certain circumstances which are special to the subject use, given its nature at this location, or alleviate circumstances which are prevalent in order areas of the County which were predominantly developed prior to November 29, 1949;**

As discussed under the development history of the Subject Property, the existing buildings were constructed in 1959. However, the departure is necessary to alleviate circumstances unique to the site, as it is one of the properties impacted by takings needed to construct the Purple Line. The reduction in the area of the parking lot reduces the number of parking spaces below the minimum requirements. However, as set forth above, the number of spaces which can be achieved by reconfiguring the remaining parking field will reasonably satisfy the parking requirements for a shopping center of this size located near mass transit and inside the Capital Beltway. Notwithstanding, the departure is necessary to alleviate the impact of the Purple Line taking.

**(4) All methods for calculating the number of spaces required (Division 2, Subdivision 3, and Division 3, Subdivision 3, of this Part) have either been used or found to be impractical;**

The calculation of the number of parking spaces required has been utilized for many years. There are no other means of calculating the number of spaces required which would eliminate the need for this Departure. The applicant has no other option than to request a departure from the number of parking spaces.

**(5) Parking and loading needs of adjacent residential areas will not be infringed upon, if the departure is granted.**

The applicant submits that the parking and loading needs of residential areas will not be infringed upon if this request is granted. As discussed in detail above, the parking which will exist upon the reconfiguration of the parking lot will be sufficient to meet the needs of the existing tenants and therefore will prevent any impact on adjacent residential areas.

Section 27-588 also requires the Planning Board to give consideration to certain other matters. These are as follows:

**(1) The parking and loading conditions within the general vicinity of the subject property, including number and locations of available on and off-street spaces within five hundred (500) feet of the subject property;**

There is no shortage of parking and loading spaces within the general vicinity of this property to the best of the

applicant's knowledge. Upon completion of the Purple Line, reliance on automobile trips will be reduced as mass transit will be available. The reconfiguration of the remaining parking lot will ensure a sufficient number of spaces exist to serve the existing shopping center.

**(2) The recommendations of an area Master plan or County/Local Revitalization Plan, regarding the subject property and its general vicinity;**

The Subject Property is located within the boundaries of the 2009 Approved Takoma/Langley Crossroads Sector Plan. Plan Prince George's 2035 further places the Subject Property within the Takoma Langley Crossroads Local Transit Center. The Subject Property is also located within the boundaries of the Takoma/Langley Crossroads Parking Study dated October 2021. The Sector Plan recognizes the C-S-C zoning that was in place at the time the Sector Plan was adopted and the existing commercial land use. The Sector Plan did not include a Sectional Map Amendment, thus retaining that zoning that predated the Sector Plan. The Sector Plan did note the future construction of the Purple Line and the long-term vision is for the Subject Property and the surrounding area to be redeveloped with a dense, transit-oriented mix of uses once the Purple Line is completed. With the retention of the C-S-C Zone, the continued use of the property providing commercial services to the local community is

consistent with the underlying zoning and the recommendations of the applicable Plans.

It is also noted that in 2021, a Parking Study was completed for the Takoma/Langley Crossroads area, which includes the Subject Property. The study evaluated the supply and demand of parking for both residential and commercial uses. For commercial uses, the study found that the commercial land uses have most of the underutilized off-street parking supply in the study area. The study notes that the oversupply of parking in these areas could eventually be addressed by future redevelopment, which could eliminate the oversupply. Thus, the parking study conclusion that ample parking exists to serve the existing commercial uses is supportive of the requested DPLS.

**(3) The recommendations of a municipality within which the property lies regarding the departure;**

This property does not lie within the limits of any municipality.

**(4) Public parking facilities which are proposed within the general vicinity of the property.**

To the applicant's knowledge, there are no public parking facilities proposed within the general vicinity of the subject property. As noted above, however, the Takoma/Langley Crossroads Parking Study was completed in October 2021 and included an evaluation of parking supply and demand for the 15 commercial

zones designated in the study. The five commercial zones with the largest parking lots were identified, and one was the University Place retail assemblage. The study also included telephone based interviews of area businesses to understand perceptions regarding the sufficiency of parking supply. The results of the study were that the commercial area parking supply is sufficient to meet the parking demand under current conditions, although the study did note that concerns were raised regarding the construction of the Purple Line, the elimination of a number of parking spaces, and the need to reconfigure parking lots. This application is needed to address this very concern as it relates to the Subject Property.

Given all of the above considerations, the applicant respectfully submits that all of the required Findings set forth in Section 27-588 are met and satisfied with this application. Most importantly, the applicant submits the purposes for requiring off-street parking spaces are also satisfied. With the reconfiguration of the parking lot, 107 parking spaces will be sufficient to serve the needs of the Subject Property. This is true today and will continue to be the case once the Purple Line construction is completed and the transit station opens in close proximity to the shopping center. Therefore, the applicant requests that its departure from the required number of off-street parking spaces be granted.

**CONCLUSION**

Based on all the foregoing reasons, the applicant respectfully requests approval of the requested departure.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'THH', enclosed in a rectangular box.

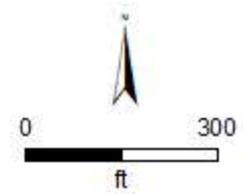
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(301) 306-0033

*S:\University Place/ DPLS Justification Statement.wpd*

# PRIOR ZONING SKETCH MAP

APP NO: DDS-22005  
EXISTING ZONE: \_\_\_\_\_  
PLANNING AREA: 65  
WSSC GRID: 209NE02  
TAX MAP: 32  
TAX GRID: C3  
COUNCIL DISTRICT: 2



1 inch = 300 feet

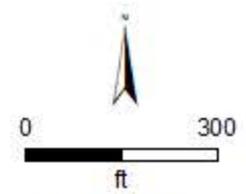


The Maryland-National Capital Park and Planning Commission  
Prince George's County Planning Department  
Geographic Information System

Created: 10/23/2023

# PRIOR ZONING SKETCH MAP

APP NO: DPLS-22007  
EXISTING ZONE: \_\_\_\_\_  
PLANNING AREA: 65  
WSSC GRID: 209NE02  
TAX MAP: 32  
TAX GRID: C3  
COUNCIL DISTRICT: 2



1 inch = 300 feet



The Maryland-National Capital Park and Planning Commission  
Prince George's County Planning Department  
Geographic Information System

Created: 10/23/2023

# ZONING SKETCH MAP

APP NO: DDS-22005

EXISTING ZONE: \_\_\_\_\_

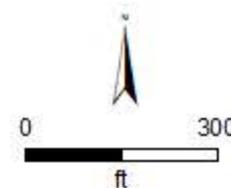
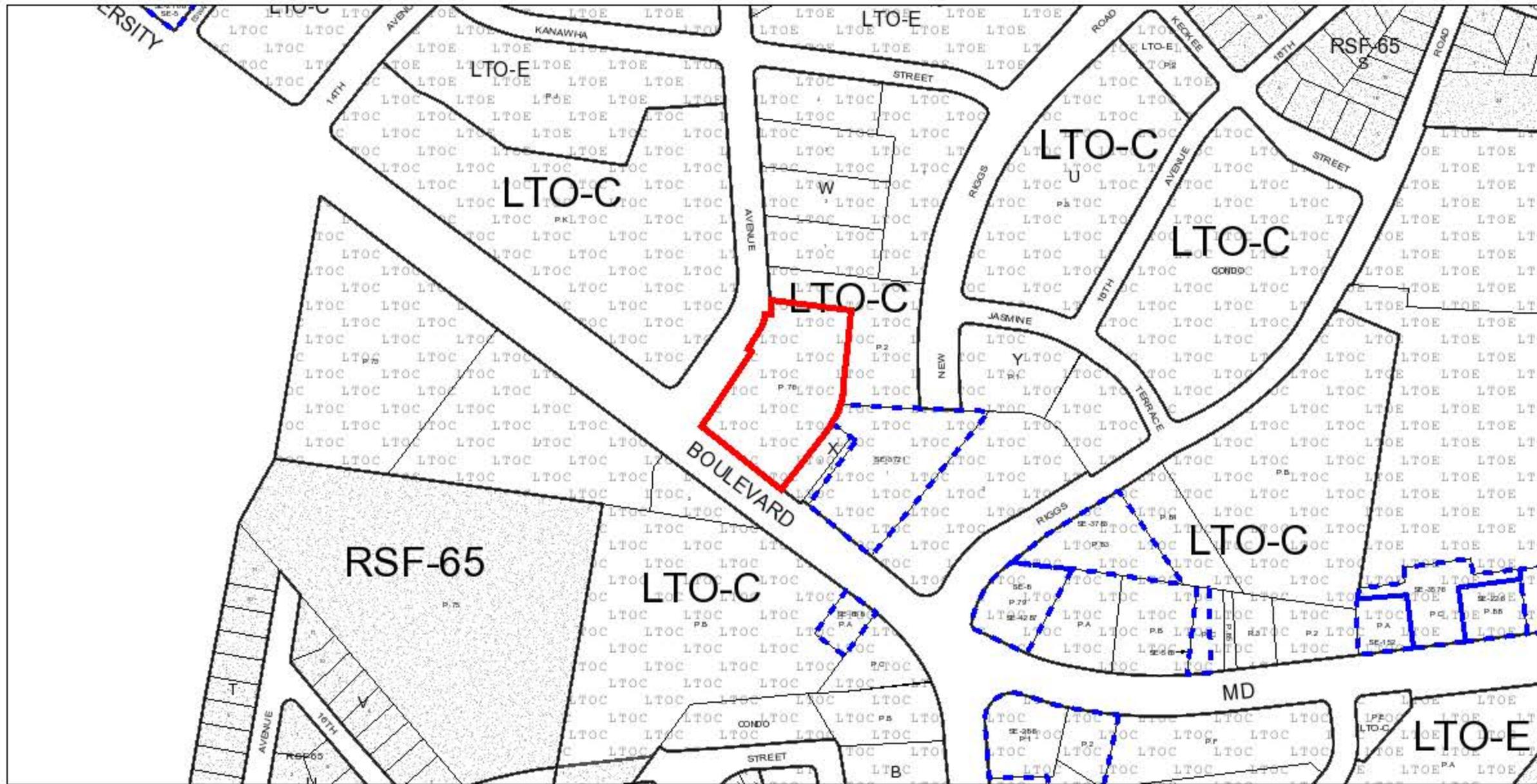
PLANNING AREA: 65

WSSC GRID: 209NE02

TAX MAP: 32

TAX GRID: C3

COUNCIL DISTRICT: 2

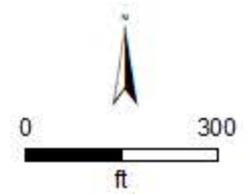
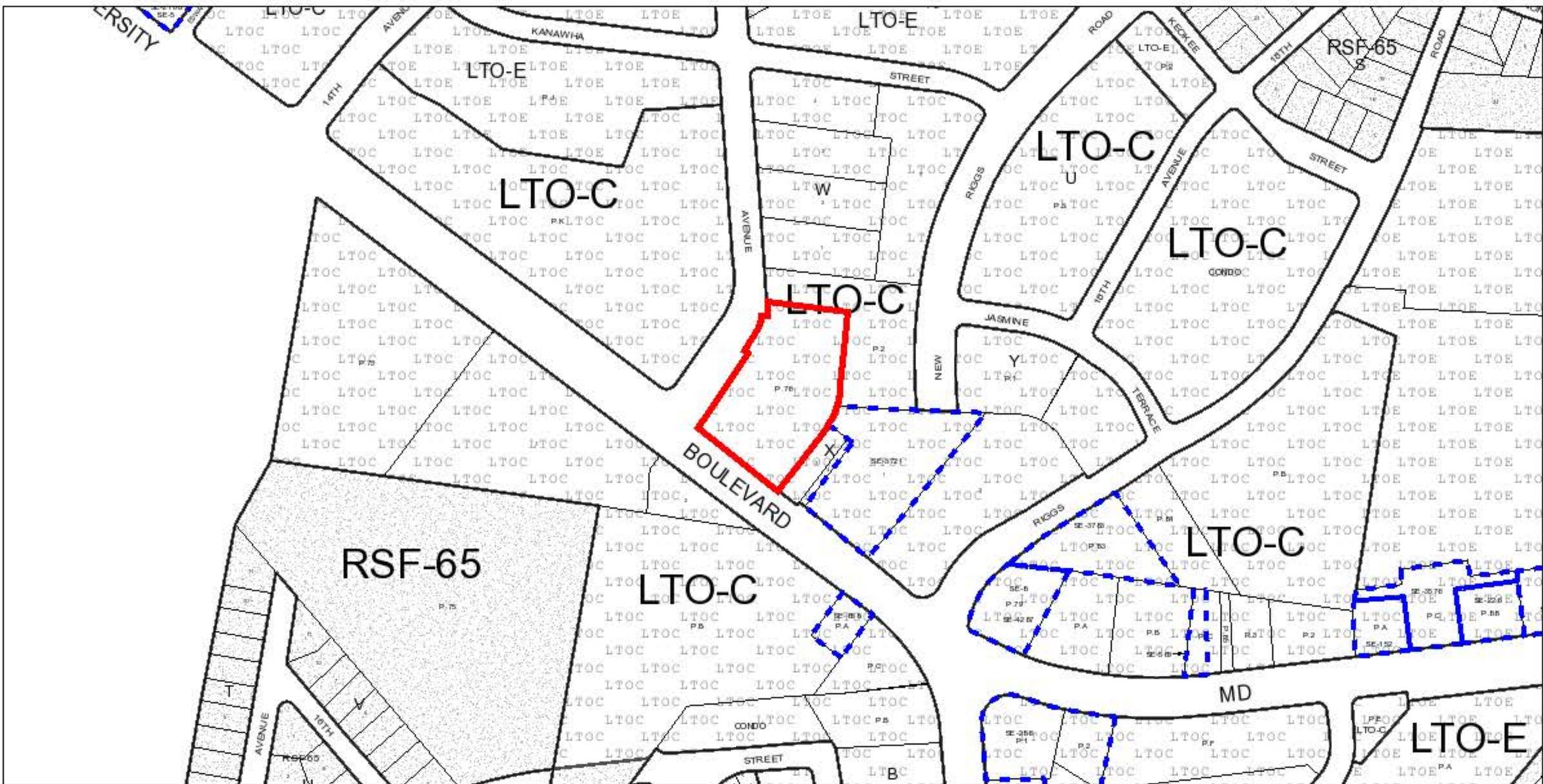


The Maryland-National Capital Park and Planning Commission  
Prince George's County Planning Department  
Geographic Information System

Created: 10/23/2023

# ZONING SKETCH MAP

APP NO: DPLS-22007  
EXISTING ZONE: \_\_\_\_\_  
PLANNING AREA: 65  
WSSC GRID: 209NE02  
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TAX GRID: C3  
COUNCIL DISTRICT: 2



The Maryland-National Capital Park and Planning Commission  
Prince George's County Planning Department  
Geographic Information System

Created: 10/23/2023

AFFIDAVIT

The purpose of this affidavit is to certify that pursuant to *The Process Guidelines for Development Review Applications*, informational mailing letters regarding Departure from Design Standards (DDS-22005) and Departure from the Number of Parking and Loading Spaces Required (DPLS-22007) for University Square Shopping Center, 1500 University Boulevard, Hyattsville, Maryland 20783, were mailed to all adjoining property owners, registered associations, municipalities within a mile, and previous parties of record. The letters, dated July 7, 2023, were mailed on July 7, 2023.

A copy of the letter and a list of those parties receiving the letter are attached and marked as Exhibits A and B.

I, Thomas H. Haller, solemnly affirm under the penalties of perjury and upon personal knowledge that the contents of the foregoing paper are true.

  
\_\_\_\_\_  
Name  
  
\_\_\_\_\_  
Date 7/7/23

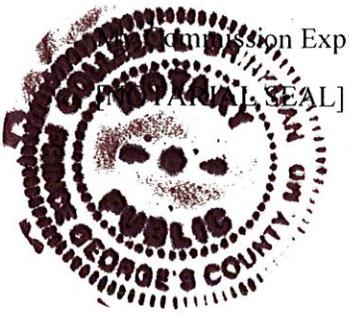
STATE OF MARYLAND  
COUNTY OF PRINCE GEORGE'S, ss:

I HEREBY CERTIFY that on this 7<sup>th</sup> day of July, 2023, before me, the subscriber, a Notary Public, for the State and County aforesaid, personally appeared Thomas H. Haller, being authorized to execute this Affidavit in accordance with the requirements of the Prince George's County Zoning Ordinance for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

  
\_\_\_\_\_  
Notary Public

**Colleen L. Brinkman**  
Notary Public  
Pr. George's County, Maryland  
Commission Expires: 6/6/2027



Commission Expires: \_\_\_\_\_

LAW OFFICES  
**GIBBS AND HALLER**  
1300 CARAWAY COURT, SUITE 102  
LARGO, MARYLAND 20774

EDWARD C. GIBBS, JR.  
THOMAS H. HALLER  
JUSTIN S. KORENBLATT

(301) 306-0033  
FAX (301) 306-0037  
gibbshaller.com

July 7, 2023

Re: Departure from Design Standards DDS-22005;  
Departure from the Number of Parking and Loading Spaces Required DPLS-22007  
University Square Shopping Center, 1500 University Boulevard, Hyattsville, MD 20783

Dear Sir or Madam:

A Departure from Design Standards application and a Departure from the Number of Parking and Loading Spaces Required application for the University Square Shopping Center will be submitted for review to the Development Review Division of The Maryland-National Capital Park and Planning Commission, M-NCPPC.

The address of the subject property is 1500 University Boulevard, which is located in the northeast quadrant of the intersection of University Boulevard and 15<sup>th</sup> Avenue. The property consists of approximately 2.05 acres and is zoned LTO-c (formerly C-S-C) and is improved with a shopping center containing 29,090 square feet. The nature of the review is to permit the owner to reconfigure the existing parking lot as the result of the taking of land by the State of Maryland for the construction of the Purple Line. This taking reduced the number of parking spaces below the minimum required and restricts vehicle flow. The reconfiguration of the parking lot will allow the number of remaining spaces to be increased and improve site circulation.

If you wish to become a Person of Record to this application, you are encouraged to do so at this time. Persons of Record are entitled to certain rights under the zoning and subdivision laws, but registration is required. You may register online at [http://www.mncppcapps.org/planning/Person\\_of\\_Record/default.cfm](http://www.mncppcapps.org/planning/Person_of_Record/default.cfm), or you may submit your name, address, and the above-referenced pre-application numbers and name by mailing a written request to:

The Maryland National Capital Park and Planning Commission  
Development Review Division  
14741 Governor Oden Bowie Drive  
Upper Marlboro, MD 20772

Being a Person of Record on a separate application on the same property **does not** make you a Person of Record for these applications. You must request to become a Person of Record for each separate application (separate applications have different application numbers). At this time, no government agency has reviewed the applications. **After** the applications have been filed, you may contact the M-NCPPC at 301-952-3530.

**IMPORTANT:** *This notice is your opportunity to interact with the applicant prior to the acceptance of the subject applications. Once an application is accepted, it may be subject to mandatory action time frames that are established by law. Contacting the applicant as soon as possible after receiving this notice will help facilitate your ability to receive information and/or establish a time when the applicant may meet with you or your civic group to provide information and answer questions about the development proposed. Any concerns regarding an applicant's failure to provide information or engage in dialogue about the proposed development should be directed in writing to the same mailing address listed for becoming a party of record. Please be sure to include the application number with any such correspondence.*

If you are interested in receiving more information about this application, reviewing a copy of a site plan, or meeting to discuss the project, you may contact Thomas H. Haller, the attorney for the applicant, at 301-306-0033.

Sincerely,



Thomas H. Haller

*Exhibit "A"*

Hon. Robert S. Croslin, Mayor  
City of Hyattsville  
4310 Gallatin St.  
Hyattsville, MD 20781

Gr. Pr. George's Business Roundtable  
10201 MLK, Jr. Highway, #220  
Bowie, MD 20720

University Hills Area Civic Assn. (UHACA)  
7117 Pony Trail Lane  
Hyattsville, MD 20782

Ever May Village HOA  
Attn: Agnes Brown  
1007 Higgins Way  
Hyattsville, MD 20782

Prince George's Chamber of Commerce  
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Lanham, MD 20706

Brighton Place HOA  
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Silver Spring, MD 20904

Lewisdale Citizens Assn.  
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Hyattsville, MD 20782

Takoma Branch Civic Assn.  
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Takoma Park, MD 20912

Melwood Park Assn.  
c/o Procom  
400 Serendipity Dr.  
Millersville, MD 21108

State of Maryland  
P.O. Box 7356  
Gaithersburg, MD 20895

Arts District East HOA  
c/o Norman Legomand  
3130 Fairview Park Dr., #200  
Falls Church, VA 22042

State Highway Administration  
1606 E. University Blvd.  
Hyattsville, MD 20783

Save our Sustainable Hyattsville  
Attn: Greg Smith  
4204 Farragut St.  
Hyattsville, MD 20781

Anita Fulwood  
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Attn: Jason R. Clayton  
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Cool Spring Terrace Civic Assn. (CSTCA)  
Attn: Kimberly Crews  
8301 Rambler Dr.  
Hyattsville, MD 20783

Emma B. Rubio  
1700 Hannon St., Unit 7  
Hyattsville, MD 20783

Hyattsville Comm. Development Corp.  
Attn: Stuart Eisenberg  
4314 Farragut St.  
Hyattsville, MD 20781

LA Union Center LLC  
P.O. Box 206  
Clarksburg, MD 20871

Avonridge Comm. Development Corp.  
P.O. Box 5933  
Hyattsville, MD 20782

Serene LLC  
c/o Southern Management Corp.  
1950 Gallows Rd., #600  
Vienna, VA 22182

LP TIK LLC ETAL  
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Ellicott City, MD 21042

Shellhorn Langley LLC  
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Bethesda, MD 20814

Linder D. Carothers  
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Sandra D. Perez  
1704 Hannon St., Unit 105  
Hyattsville, MD 20783

***Exhibit "B"***

Juan De Dios Choque Ampuero  
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Hyattsville, MD 20783

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Washington, D.C. 20036

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Naveen Investments LLC  
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AFFIDAVIT

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Name  
  
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Date 7/7/23

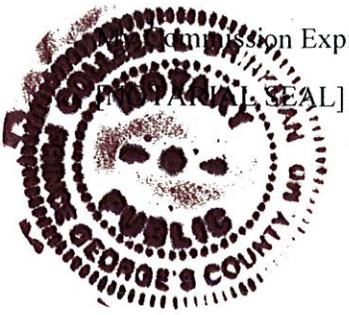
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Commission Expires: 6/6/2027



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EDWARD C. GIBBS, JR.  
THOMAS H. HALLER  
JUSTIN S. KORENBLATT

(301) 306-0033  
FAX (301) 306-0037  
gibbshaller.com

RECEIVED  
JUL 10 2023  
M-NCPPC

July 7, 2023

Re: Departure from Design Standards DDS-22005;  
Departure from the Number of Parking and Loading Spaces Required DPLS-22007  
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2756 Iverson St., Unit 73  
Temple Hills, MD 20748

STATE ETHICS COMMISSION  
45 CALVERT STREET, 3<sup>RD</sup> FLOOR  
ANNAPOLIS, MD 21401  
410-260-7770  
1-877-669-6085

This Form Is To Be Filed With:  
CLERK OF THE COUNTY COUNCIL  
COUNTY ADMINISTRATION BUILDING  
ROOM 2198  
UPPER MARLBORO, MD 20772  
301-952-3600

## **Business Entity' Affidavit**

(Form PG 2)

### General Information

The Prince George's County land use ethics law (General Provisions Article, §§ 5-833 to 5-839, Annotated Code of Maryland) ("Public Ethics Law") requires this affidavit to be filed where a business entity is deemed to be an applicant in an application filed with the District Council. This can occur, for example, when a business entity is a title owner or contract purchaser of land that is the subject of an application, a trustee having an interest in the land (except those described in a mortgage or deed of trust), or the holder of 5 percent or more interest in an entity having an interest in the land (provided that it has substantive involvement in the disposition of the land, or substantive activities pertaining specifically to land development in Prince George's County). Applicant can also include a business entity in which a 5 percent or greater interest is held by another applicant.

In completing this form, you should also review §§ 5-833 to 5-839 of the Public Ethics Law. These provisions include the affidavit requirement, define applicants and agents, set out District Council member disqualification requirements, and specify ex parte disclosure procedures. Please note that there may be situations where there is more than one applicant involved, requiring one or more submissions of this form (or Form PG 1 Individual Applicant Affidavit). You may direct questions about the affidavit or other requirements of the Law to the State Ethics Commission office by phone, at 410-260-7770, or in writing, at the above address. Copies of the Public Ethics Law may be obtained at the Commission's website <http://ethics.maryland.gov/public-ethics-law/>. Additionally, there is a Special Ethics Law Memo on the Prince George's County land use ethics law at <http://ethics.maryland.gov/download/local-gov/local-gov-forms/PG%20County%20Zoning%20Memo.pdf>, that contains additional filing information, including timing requirements.

If the applicant business entity is a corporation listed on a national stock exchange or regulated by the Securities Exchange Commission, then its officers, its directors, or its shareholders having a 5 percent or greater interest in the corporation are required to file an affidavit **only** if these persons have made a payment or have solicited a payment as outlined in the Public Ethics Law **and** if the corporation itself completes Part B of the affidavit. If required to file, these persons will file the Individual Applicant Affidavit, Form PG 1.

### Filing Deadline

You must file a signed original of this affidavit with the Clerk of the County Council no later than 30 days prior to the District Council's consideration of the application. You must file a supplemental affidavit as expeditiously as possible whenever a payment/contribution is made after the original affidavit was filed and prior to Council's consideration. Please note that under § 5-835(a) of the Public Ethics Law, payments/contributions during the pendency of an application are generally prohibited.

## **PART A. Business Entity Applicant**

### Identifying Information

Name of Applicant \_\_\_ University Place Center LLC \_\_\_ Case No. (where applicable) \_\_\_ DDS-22005; DPLS22007

Address of Applicant \_\_\_ 15942 Shady Grove Road, Gaithersburg, MD 20877 \_\_\_\_\_

Identity of the Property/ 1500 University Boulevard, Hyattsville, MD 20783

Subject of Application \_\_\_ Tax Map 32, Parcel 76 \_\_\_\_\_ Type of Application \_\_\_ DDS & DPLS \_\_\_\_\_  
(see § 5-833(d))

<sup>1</sup>Section 5-833 of the Public Ethics Law defines a business entity as a corporation, a general partnership, a joint venture, a limited liability company, a limited partnership or a sole proprietorship.

Applicant Payment/Contribution to Member Information (check or complete applicable blanks)

1. Was a payment/contribution made by the applicant to a treasurer or a continuing committee, either directly or through a political action committee (PAC), during the 36 months before the application was filed or during the pendency of the application? \_\_\_\_ Yes X No

If the answer to #1 above is yes, list below the name of the member or members and the date or dates of the payment/contribution:

<u>Name of Member</u>	<u>Date</u>
_____	_____
_____	_____
_____	_____

If the payment/contribution was through a PAC, identify the PAC and the date of the transfer to the treasurer or continuing committee:

_____	_____
_____	_____

Solicitation and other Payment/Contribution Information

2. Did the applicant solicit a person or business entity to make a payment/contribution to a member during the 36 months before the application filing or during the pendency of the application? \_\_\_\_ Yes X No

If the answer to #2 above is yes, and a contribution was made, list below the name of the member or members, the date or dates of the payment/contribution, and the name of the contributor:

<u>Name of Member</u>	<u>Date</u>	<u>Name of Contributor</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

**PART B. Directors, Officers and Stockholders (see § 5-838(b)) (For Corporations Only)**

**\*Note: For a corporation's application to be processed, this section must be completed in full (place a check at the beginning of each question to indicate the action has been completed).**

1. \_\_\_\_ All directors, officers, and stockholders with a 5 percent or greater interest have been notified of the disclosure requirement as provided in the Law and are identified as follows (list name and title – if the corporation has no directors, officers or stockholders with a 5 percent or greater interest, so state):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. \_\_\_\_ Affidavits (Form PG 1 Individual Applicant Affidavit) from those individuals identified in question #1 above, who have made or solicited contributions and are therefore required to disclose, are either attached or on file with the Clerk of the County Council **OR** there are no individuals required to file affidavits.

I hereby make oath or affirmation that the contents of this affidavit are true and correct to the best of my knowledge, information and belief.

R. Beigelman  
\_\_\_\_\_  
Signature (original to be filed with the Clerk)

Robert Beigelman \_\_\_\_\_  
Printed Name of Signer

Member \_\_\_\_\_  
Title of Signer (Authorized to sign for the business entity)

MEMBER - MANAGER

7-7-23  
\_\_\_\_\_  
Date

STATE ETHICS COMMISSION  
45 CALVERT STREET, 3<sup>RD</sup> FLOOR  
ANNAPOLIS, MD 21401  
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301-952-3600

## Individual Applicant Affidavit (Form PG 1)

### General Information

The Prince George's County land use ethics law (General Provisions Article, §§ 5-833 to 5-839, Annotated Code of Maryland) ("Public Ethics Law") requires applicants to file this affidavit with applications filed with the District Council. This form should be submitted only by an individual who is: (i) a title owner or contract purchaser of land that is the subject of an application; (ii) a trustee who holds an interest in land that is the subject of an application, excluding a trustee described in a mortgage or deed of trust; or (iii) a holder of at least a 5% interest in a business entity that has an interest in the land that is the subject of an application, provided the individual has substantive involvement in directing the affairs of the business entity regarding the disposition of the land, or is engaged in substantive activities specifically pertaining to land development in Prince George's County as a regular part of the business entity's business activities. **In short, this form should be used whenever an individual, rather than a business entity<sup>1</sup>, is required to file an affidavit as part of an application. All other applicants should file the Business Entity Applicant Affidavit (Form PG 2).**

In completing this form, you should also review §§ 5-833 to 5-839 of the Public Ethics Law. These provisions of the Public Ethics Law include the affidavit requirement, define applicants and agents, set out District Council member disqualification requirements, and specify ex parte disclosure procedures. Please note that a single application may result in the filing of one or more affidavits. For example, if the application involves a partnership, one or more partners may be required to file. As another example, if the applicant filer has a corporate interest attributable to him making the corporation also an applicant, then the corporation must file a Business Entity Applicant Affidavit. You may direct questions about the affidavit or other requirements of the Law to the State Ethics Commission office by phone, at 410-260-7770, or in writing, to the State Ethics Commission at the above address. Copies of the Public Ethics Law may be obtained at the Commission's website <http://ethics.maryland.gov/public-ethics-law/>. Additionally, there is a Special Ethics Law Memo on the Prince George's County land use ethics law at <http://ethics.maryland.gov/download/local-gov/local-gov-forms/PG%20County%20Zoning%20Memo.pdf> that contains additional filing information, including timing requirements.

### Filing Deadline

You must file a signed original of this affidavit with the Clerk of the County Council no later than 30 days prior to the District Council's consideration of the application. You should file a supplemental affidavit as expeditiously as possible whenever a payment/contribution is made after the filing of the original affidavit and prior to the Council's consideration. Please note that under §5-835(a) of the Public Ethics Law, payments/contributions during the pendency of an application are generally prohibited.

### Identifying Information

Name of Applicant Robert Begelman Case No. (where applicable) DDS-22005; DPLS-22007

Address of Applicant 15842 Shady Grove Road, Gaithersburg, MD 20877

Identity of the Property/ 1500 University Boulevard, Hyattsville, MD 20783

Subject of Application Tax Map 32, Parcel 76 Type of Application DDS and DPLS  
(see §5-833(d))

<sup>1</sup>Section 5-833 of the Public Ethics Law defines a business entity as a corporation, a general partnership, a joint venture, a limited liability company, a limited partnership or a sole proprietorship.

Applicant Payment/Contribution to Member Information (check or complete applicable blanks)

1. Was a payment/contribution made by the applicant to a treasurer or a continuing committee, either directly or through a political action committee (PAC), during the 36 months before the application filing or during the pendency of the application? \_\_\_\_ Yes X No

If the answer to #1 is yes, list below the name of the member or members and the date or dates of the payment/contribution:

<u>Name of Member</u>	<u>Date</u>
_____	_____
_____	_____
_____	_____
_____	_____

If the payment/contribution above was through a PAC, identify the PAC and the date of the transfer to the treasurer or continuing committee:

_____	_____
_____	_____

Solicitation and other Payment/Contribution Information

2. Did the applicant solicit a person or business entity to make a payment/contribution to a member during the 36 months before the application filing or during the pendency of the application? \_\_\_\_ Yes X No

If the answer to #2 above is yes, and a payment/contribution was made, list below the name of the member or members, the date or dates of the payment/contribution, and the name of the contributor:

<u>Name of Member</u>	<u>Date</u>	<u>Name of Contributor</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

3. Did a member of the applicant's household make a payment/contribution to a member during the 36 months before the application filing or during the pendency of the application? \_\_\_\_ Yes X No

If the answer to #3 above is yes, list below the name of the member or members, the date or dates of the payment/contribution, and the name of the household member who made the contribution/payment:

<u>Name of Member</u>	<u>Date</u>	<u>Name of Contributor</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

I hereby make oath or affirmation that the contents of this affidavit are true and correct to the best of my knowledge, information and belief.

R. Begelman  
Signature (original to be filed with the Clerk)

7-7-23  
Date

Robert Begelman  
Printed Name of Signer

\_\_\_\_\_  
Title of Signer (if applicable)

STATE ETHICS COMMISSION  
45 CALVERT STREET, 3<sup>RD</sup> FLOOR  
ANNAPOLIS, MD 21401  
410-260-7770  
1-877-669-6085

This Form Is To Be Filed With:  
CLERK OF THE COUNTY COUNCIL  
COUNTY ADMINISTRATION BUILDING  
ROOM 2198  
UPPER MARLBORO, MD 20772  
301-952-3600

## Individual Applicant Affidavit (Form PG 1)

### General Information

The Prince George's County land use ethics law (General Provisions Article, §§ 5-833 to 5-839, Annotated Code of Maryland) ("Public Ethics Law") requires applicants to file this affidavit with applications filed with the District Council. This form should be submitted only by an individual who is: (i) a title owner or contract purchaser of land that is the subject of an application; (ii) a trustee who holds an interest in land that is the subject of an application, excluding a trustee described in a mortgage or deed of trust; or (iii) a holder of at least a 5% interest in a business entity that has an interest in the land that is the subject of an application, provided the individual has substantive involvement in directing the affairs of the business entity regarding the disposition of the land, or is engaged in substantive activities specifically pertaining to land development in Prince George's County as a regular part of the business entity's business activities. **In short, this form should be used whenever an individual, rather than a business entity<sup>1</sup>, is required to file an affidavit as part of an application. All other applicants should file the Business Entity Applicant Affidavit (Form PG 2).**

In completing this form, you should also review §§ 5-833 to 5-839 of the Public Ethics Law. These provisions of the Public Ethics Law include the affidavit requirement, define applicants and agents, set out District Council member disqualification requirements, and specify ex parte disclosure procedures. Please note that a single application may result in the filing of one or more affidavits. For example, if the application involves a partnership, one or more partners may be required to file. As another example, if the applicant filer has a corporate interest attributable to him making the corporation also an applicant, then the corporation must file a Business Entity Applicant Affidavit. You may direct questions about the affidavit or other requirements of the Law to the State Ethics Commission office by phone, at 410-260-7770, or in writing, to the State Ethics Commission at the above address. Copies of the Public Ethics Law may be obtained at the Commission's website <http://ethics.maryland.gov/public-ethics-law/>. Additionally, there is a Special Ethics Law Memo on the Prince George's County land use ethics law at <http://ethics.maryland.gov/download/local-gov/local-gov-forms/PG%20County%20Zoning%20Memo.pdf> that contains additional filing information, including timing requirements.

### Filing Deadline

You must file a signed original of this affidavit with the Clerk of the County Council no later than 30 days prior to the District Council's consideration of the application. You should file a supplemental affidavit as expeditiously as possible whenever a payment/contribution is made after the filing of the original affidavit and prior to the Council's consideration. Please note that under §5-835(a) of the Public Ethics Law, payments/contributions during the pendency of an application are generally prohibited.

### Identifying Information

Name of Applicant Adam Schwartz Case No. (where applicable) DDS-22005; DPLS-22007

Address of Applicant 15842 Shady Grove Road, Gaithersburg, MD 20877

Identity of the Property/ 1500 University Boulevard, Hyattsville, MD 20783

Subject of Application Tax Map 32, Parcel 76 Type of Application DDS and DPLS  
(see §5-833(d))

<sup>1</sup>Section 5-833 of the Public Ethics Law defines a business entity as a corporation, a general partnership, a joint venture, a limited liability company, a limited partnership or a sole proprietorship.

Applicant Payment/Contribution to Member Information (check or complete applicable blanks)

1. Was a payment/contribution made by the applicant to a treasurer or a continuing committee, either directly or through a political action committee (PAC), during the 36 months before the application filing or during the pendency of the application? \_\_\_ Yes X No

If the answer to #1 is yes, list below the name of the member or members and the date or dates of the payment/contribution:

<u>Name of Member</u>	<u>Date</u>
_____	_____
_____	_____
_____	_____
_____	_____

If the payment/contribution above was through a PAC, identify the PAC and the date of the transfer to the treasurer or continuing committee:

_____	_____
_____	_____

Solicitation and other Payment/Contribution Information

2. Did the applicant solicit a person or business entity to make a payment/contribution to a member during the 36 months before the application filing or during the pendency of the application? \_\_\_ Yes X No

If the answer to #2 above is yes, and a payment/contribution was made, list below the name of the member or members, the date or dates of the payment/contribution, and the name of the contributor:

<u>Name of Member</u>	<u>Date</u>	<u>Name of Contributor</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

3. Did a member of the applicant's household make a payment/contribution to a member during the 36 months before the application filing or during the pendency of the application? \_\_\_ Yes X No

If the answer to #3 above is yes, list below the name of the member or members, the date or dates of the payment/contribution, and the name of the household member who made the contribution/payment:

<u>Name of Member</u>	<u>Date</u>	<u>Name of Contributor</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

I hereby make oath or affirmation that the contents of this affidavit are true and correct to the best of my knowledge, information and belief.

*A*

Adam Schwartz  
Signature (original to be filed with the Clerk)

7-7-23  
Date

Adam Schwartz  
Printed Name of Signer

\_\_\_\_\_  
Title of Signer (if applicable)

STATE ETHICS COMMISSION  
45 CALVERT STREET, 3<sup>RD</sup> FLOOR  
ANNAPOLIS, MD 21401  
410-260-7770  
1-877-669-6085

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ROOM 2198  
UPPER MARLBORO, MD 20772  
301-952-3600

## Individual Applicant Affidavit (Form PG 1)

### General Information

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In completing this form, you should also review §§ 5-833 to 5-839 of the Public Ethics Law. These provisions of the Public Ethics Law include the affidavit requirement, define applicants and agents, set out District Council member disqualification requirements, and specify ex parte disclosure procedures. Please note that a single application may result in the filing of one or more affidavits. For example, if the application involves a partnership, one or more partners may be required to file. As another example, if the applicant filer has a corporate interest attributable to him making the corporation also an applicant, then the corporation must file a Business Entity Applicant Affidavit. You may direct questions about the affidavit or other requirements of the Law to the State Ethics Commission office by phone, at 410-260-7770, or in writing, to the State Ethics Commission at the above address. Copies of the Public Ethics Law may be obtained at the Commission's website <http://ethics.maryland.gov/public-ethics-law/>. Additionally, there is a Special Ethics Law Memo on the Prince George's County land use ethics law at <http://ethics.maryland.gov/download/local-gov/local-gov-forms/PG%20County%20Zoning%20Memo.pdf> that contains additional filing information, including timing requirements.

### Filing Deadline

You must file a signed original of this affidavit with the Clerk of the County Council no later than 30 days prior to the District Council's consideration of the application. You should file a supplemental affidavit as expeditiously as possible whenever a payment/contribution is made after the filing of the original affidavit and prior to the Council's consideration. Please note that under §5-835(a) of the Public Ethics Law, payments/contributions during the pendency of an application are generally prohibited.

### Identifying Information

Name of Applicant John Smith Case No. (where applicable) DDS-22005; DPLS-22007

Address of Applicant 15842 Shady Grove Road, Gaithersburg, MD 20877

Identity of the Property/ 1500 University Boulevard, Hyattsville, MD 20783

Subject of Application Tax Map 32, Parcel 76 Type of Application DDS and DPLS  
(see §5-833(d))

<sup>1</sup>Section 5-833 of the Public Ethics Law defines a business entity as a corporation, a general partnership, a joint venture, a limited liability company, a limited partnership or a sole proprietorship.

Applicant Payment/Contribution to Member Information (check or complete applicable blanks)

1. Was a payment/contribution made by the applicant to a treasurer or a continuing committee, either directly or through a political action committee (PAC), during the 36 months before the application filing or during the pendency of the application? \_\_\_\_ Yes X No

If the answer to #1 is yes, list below the name of the member or members and the date or dates of the payment/contribution:

<u>Name of Member</u>	<u>Date</u>
_____	_____
_____	_____
_____	_____
_____	_____

If the payment/contribution above was through a PAC, identify the PAC and the date of the transfer to the treasurer or continuing committee:

_____	_____
_____	_____

Solicitation and other Payment/Contribution Information

2. Did the applicant solicit a person or business entity to make a payment/contribution to a member during the 36 months before the application filing or during the pendency of the application? \_\_\_\_ Yes X No

If the answer to #2 above is yes, and a payment/contribution was made, list below the name of the member or members, the date or dates of the payment/contribution, and the name of the contributor:

<u>Name of Member</u>	<u>Date</u>	<u>Name of Contributor</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

3. Did a member of the applicant's household make a payment/contribution to a member during the 36 months before the application filing or during the pendency of the application? \_\_\_\_ Yes X No

If the answer to #3 above is yes, list below the name of the member or members, the date or dates of the payment/contribution, and the name of the household member who made the contribution/payment:

<u>Name of Member</u>	<u>Date</u>	<u>Name of Contributor</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

I hereby make oath or affirmation that the contents of this affidavit are true and correct to the best of my knowledge, information and belief.

*A*

John Smith  
Signature (original to be filed with the Clerk)

7-7-23  
Date

John Smith  
Printed Name of Signer

\_\_\_\_\_  
Title of Signer (if applicable)

STATE ETHICS COMMISSION  
45 CALVERT STREET, 3<sup>RD</sup> FLOOR  
ANNAPOLIS, MD 21401  
410-260-7770  
1-877-669-6085

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COUNTY ADMINISTRATION BUILDING  
ROOM 2198  
UPPER MARLBORO, MD 20772  
301-952-3600

## Individual Applicant Affidavit (Form PG 1)

### General Information

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In completing this form, you should also review §§ 5-833 to 5-839 of the Public Ethics Law. These provisions of the Public Ethics Law include the affidavit requirement, define applicants and agents, set out District Council member disqualification requirements, and specify ex parte disclosure procedures. Please note that a single application may result in the filing of one or more affidavits. For example, if the application involves a partnership, one or more partners may be required to file. As another example, if the applicant filer has a corporate interest attributable to him making the corporation also an applicant, then the corporation must file a Business Entity Applicant Affidavit. You may direct questions about the affidavit or other requirements of the Law to the State Ethics Commission office by phone, at 410-260-7770, or in writing, to the State Ethics Commission at the above address. Copies of the Public Ethics Law may be obtained at the Commission's website <http://ethics.maryland.gov/public-ethics-law/>. Additionally, there is a Special Ethics Law Memo on the Prince George's County land use ethics law at <http://ethics.maryland.gov/download/local-gov/local-gov-forms/PG%20County%20Zoning%20Memo.pdf> that contains additional filing information, including timing requirements.

### Filing Deadline

You must file a signed original of this affidavit with the Clerk of the County Council no later than 30 days prior to the District Council's consideration of the application. You should file a supplemental affidavit as expeditiously as possible whenever a payment/contribution is made after the filing of the original affidavit and prior to the Council's consideration. Please note that under §5-835(a) of the Public Ethics Law, payments/contributions during the pendency of an application are generally prohibited.

### Identifying Information

Name of Applicant David Terzian Case No. (where applicable) DDS-22005; DPLS-22007

Address of Applicant 15842 Shady Grove Road, Gaithersburg, MD 20877

Identity of the Property/ 1500 University Boulevard, Hyattsville, MD 20783

Subject of Application Tax Map 32, Parcel 76 Type of Application DDS and DPLS  
(see §5-833(d))

<sup>1</sup>Section 5-833 of the Public Ethics Law defines a business entity as a corporation, a general partnership, a joint venture, a limited liability company, a limited partnership or a sole proprietorship.

Applicant Payment/Contribution to Member Information (check or complete applicable blanks)

1. Was a payment/contribution made by the applicant to a treasurer or a continuing committee, either directly or through a political action committee (PAC), during the 36 months before the application filing or during the pendency of the application? \_\_\_\_ Yes X No

If the answer to #1 is yes, list below the name of the member or members and the date or dates of the payment/contribution:

<u>Name of Member</u>	<u>Date</u>
_____	_____
_____	_____
_____	_____
_____	_____

If the payment/contribution above was through a PAC, identify the PAC and the date of the transfer to the treasurer or continuing committee:

_____	_____
_____	_____

Solicitation and other Payment/Contribution Information

2. Did the applicant solicit a person or business entity to make a payment/contribution to a member during the 36 months before the application filing or during the pendency of the application? \_\_\_\_ Yes X No

If the answer to #2 above is yes, and a payment/contribution was made, list below the name of the member or members, the date or dates of the payment/contribution, and the name of the contributor:

<u>Name of Member</u>	<u>Date</u>	<u>Name of Contributor</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

3. Did a member of the applicant's household make a payment/contribution to a member during the 36 months before the application filing or during the pendency of the application? \_\_\_\_ Yes X No

If the answer to #3 above is yes, list below the name of the member or members, the date or dates of the payment/contribution, and the name of the household member who made the contribution/payment:

<u>Name of Member</u>	<u>Date</u>	<u>Name of Contributor</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

I hereby make oath or affirmation that the contents of this affidavit are true and correct to the best of my knowledge, information and belief.

 \_\_\_\_\_

Signature (original to be filed with the Clerk)



\_\_\_\_\_ Date

\_\_\_\_\_  
David Terzian  
Printed Name of Signer

\_\_\_\_\_  
Title of Signer (if applicable)

STATE ETHICS COMMISSION  
45 CALVERT STREET, 3<sup>RD</sup> FLOOR  
ANNAPOLIS, MD 21401  
410-260-7770  
1-877-669-6085

This Form Is To Be Filed With:  
CLERK OF THE COUNTY COUNCIL  
COUNTY ADMINISTRATION BUILDING  
ROOM 2198  
UPPER MARLBORO, MD 20772  
301-952-3600

## **Business Entity' Affidavit**

(Form PG 2)

### General Information

The Prince George's County land use ethics law (General Provisions Article, §§ 5-833 to 5-839, Annotated Code of Maryland) ("Public Ethics Law") requires this affidavit to be filed where a business entity is deemed to be an applicant in an application filed with the District Council. This can occur, for example, when a business entity is a title owner or contract purchaser of land that is the subject of an application, a trustee having an interest in the land (except those described in a mortgage or deed of trust), or the holder of 5 percent or more interest in an entity having an interest in the land (provided that it has substantive involvement in the disposition of the land, or substantive activities pertaining specifically to land development in Prince George's County). Applicant can also include a business entity in which a 5 percent or greater interest is held by another applicant.

In completing this form, you should also review §§ 5-833 to 5-839 of the Public Ethics Law. These provisions include the affidavit requirement, define applicants and agents, set out District Council member disqualification requirements, and specify ex parte disclosure procedures. Please note that there may be situations where there is more than one applicant involved, requiring one or more submissions of this form (or Form PG 1 Individual Applicant Affidavit). You may direct questions about the affidavit or other requirements of the Law to the State Ethics Commission office by phone, at 410-260-7770, or in writing, at the above address. Copies of the Public Ethics Law may be obtained at the Commission's website <http://ethics.maryland.gov/public-ethics-law/>. Additionally, there is a Special Ethics Law Memo on the Prince George's County land use ethics law at <http://ethics.maryland.gov/download/local-gov/local-gov-forms/PG%20County%20Zoning%20Memo.pdf>, that contains additional filing information, including timing requirements.

If the applicant business entity is a corporation listed on a national stock exchange or regulated by the Securities Exchange Commission, then its officers, its directors, or its shareholders having a 5 percent or greater interest in the corporation are required to file an affidavit **only** if these persons have made a payment or have solicited a payment as outlined in the Public Ethics Law **and** if the corporation itself completes Part B of the affidavit. If required to file, these persons will file the Individual Applicant Affidavit, Form PG 1.

### Filing Deadline

You must file a signed original of this affidavit with the Clerk of the County Council no later than 30 days prior to the District Council's consideration of the application. You must file a supplemental affidavit as expeditiously as possible whenever a payment/contribution is made after the original affidavit was filed and prior to Council's consideration. Please note that under § 5-835(a) of the Public Ethics Law, payments/contributions during the pendency of an application are generally prohibited.

## **PART A. Business Entity Applicant**

### Identifying Information

Name of Applicant \_\_\_ University Place Center LLC \_\_\_ Case No. (where applicable) \_\_\_ DDS-22005; DPLS22007

Address of Applicant \_\_\_ 15942 Shady Grove Road, Gaithersburg, MD 20877 \_\_\_\_\_

Identity of the Property/ 1500 University Boulevard, Hyattsville, MD 20783

Subject of Application \_\_\_ Tax Map 32, Parcel 76 \_\_\_\_\_ Type of Application \_\_\_ DDS & DPLS \_\_\_\_\_  
(see § 5-833(d))

<sup>1</sup>Section 5-833 of the Public Ethics Law defines a business entity as a corporation, a general partnership, a joint venture, a limited liability company, a limited partnership or a sole proprietorship.

Applicant Payment/Contribution to Member Information (check or complete applicable blanks)

1. Was a payment/contribution made by the applicant to a treasurer or a continuing committee, either directly or through a political action committee (PAC), during the 36 months before the application was filed or during the pendency of the application?  Yes  No

If the answer to #1 above is yes, list below the name of the member or members and the date or dates of the payment/contribution:

<u>Name of Member</u>	<u>Date</u>
_____	_____
_____	_____
_____	_____

If the payment/contribution was through a PAC, identify the PAC and the date of the transfer to the treasurer or continuing committee:

_____	_____
_____	_____

Solicitation and other Payment/Contribution Information

2. Did the applicant solicit a person or business entity to make a payment/contribution to a member during the 36 months before the application filing or during the pendency of the application?  Yes  No

If the answer to #2 above is yes, and a contribution was made, list below the name of the member or members, the date or dates of the payment/contribution, and the name of the contributor:

<u>Name of Member</u>	<u>Date</u>	<u>Name of Contributor</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

**PART B. Directors, Officers and Stockholders (see § 5-838(b)) (For Corporations Only)**

**\*Note: For a corporation's application to be processed, this section must be completed in full (place a check at the beginning of each question to indicate the action has been completed).**

1.  All directors, officers, and stockholders with a 5 percent or greater interest have been notified of the disclosure requirement as provided in the Law and are identified as follows (list name and title – if the corporation has no directors, officers or stockholders with a 5 percent or greater interest, so state):  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
2.  Affidavits (Form PG 1 Individual Applicant Affidavit) from those individuals identified in question #1 above, who have made or solicited contributions and are therefore required to disclose, are either attached or on file with the Clerk of the County Council **OR** there are no individuals required to file affidavits.

I hereby make oath or affirmation that the contents of this affidavit are true and correct to the best of my knowledge, information and belief.

R. Beigelman  
\_\_\_\_\_  
Signature (original to be filed with the Clerk)  
Robert Beigelman \_\_\_\_\_  
Printed Name of Signer

7-7-23  
\_\_\_\_\_  
Date

Member \_\_\_\_\_  
Title of Signer (Authorized to sign for the business entity)  
MEMBER-MANAGER

STATE ETHICS COMMISSION  
45 CALVERT STREET, 3<sup>RD</sup> FLOOR  
ANNAPOLIS, MD 21401  
410-260-7770  
1-877-669-6085

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UPPER MARLBORO, MD 20772  
301-952-3600

## Individual Applicant Affidavit (Form PG 1)

### General Information

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### Filing Deadline

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### Identifying Information

Name of Applicant Robert Begelman Case No. (where applicable) DDS-22005; DPLS-22007

Address of Applicant 15842 Shady Grove Road, Gaithersburg, MD 20877

Identity of the Property/ 1500 University Boulevard, Hyattsville, MD 20783

Subject of Application Tax Map 32, Parcel 76 Type of Application DDS and DPLS  
(see §5-833(d))

<sup>1</sup>Section 5-833 of the Public Ethics Law defines a business entity as a corporation, a general partnership, a joint venture, a limited liability company, a limited partnership or a sole proprietorship.

Applicant Payment/Contribution to Member Information (check or complete applicable blanks)

1. Was a payment/contribution made by the applicant to a treasurer or a continuing committee, either directly or through a political action committee (PAC), during the 36 months before the application filing or during the pendency of the application? \_\_\_\_ Yes X No

If the answer to #1 is yes, list below the name of the member or members and the date or dates of the payment/contribution:

<u>Name of Member</u>	<u>Date</u>
_____	_____
_____	_____
_____	_____
_____	_____

If the payment/contribution above was through a PAC, identify the PAC and the date of the transfer to the treasurer or continuing committee:

_____	_____
_____	_____

Solicitation and other Payment/Contribution Information

2. Did the applicant solicit a person or business entity to make a payment/contribution to a member during the 36 months before the application filing or during the pendency of the application? \_\_\_\_ Yes X No

If the answer to #2 above is yes, and a payment/contribution was made, list below the name of the member or members, the date or dates of the payment/contribution, and the name of the contributor:

<u>Name of Member</u>	<u>Date</u>	<u>Name of Contributor</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

3. Did a member of the applicant's household make a payment/contribution to a member during the 36 months before the application filing or during the pendency of the application? \_\_\_\_ Yes X No

If the answer to #3 above is yes, list below the name of the member or members, the date or dates of the payment/contribution, and the name of the household member who made the contribution/payment:

<u>Name of Member</u>	<u>Date</u>	<u>Name of Contributor</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

I hereby make oath or affirmation that the contents of this affidavit are true and correct to the best of my knowledge, information and belief.

R. Begelman  
Signature (original to be filed with the Clerk)

7-7-23  
Date

Robert Begelman  
Printed Name of Signer

\_\_\_\_\_  
Title of Signer (if applicable)

STATE ETHICS COMMISSION  
45 CALVERT STREET, 3<sup>RD</sup> FLOOR  
ANNAPOLIS, MD 21401  
410-260-7770  
1-877-669-6085

This Form Is To Be Filed With:  
CLERK OF THE COUNTY COUNCIL  
COUNTY ADMINISTRATION BUILDING  
ROOM 2198  
UPPER MARLBORO, MD 20772  
301-952-3600

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### Filing Deadline

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### Identifying Information

Name of Applicant Adam Schwartz Case No. (where applicable) DDS-22005; DPLS-22007

Address of Applicant 15842 Shady Grove Road, Gaithersburg, MD 20877

Identity of the Property/ 1500 University Boulevard, Hyattsville, MD 20783

Subject of Application Tax Map 32, Parcel 76 Type of Application DDS and DPLS  
(see §5-833(d))

<sup>1</sup>Section 5-833 of the Public Ethics Law defines a business entity as a corporation, a general partnership, a joint venture, a limited liability company, a limited partnership or a sole proprietorship.

Applicant Payment/Contribution to Member Information (check or complete applicable blanks)

1. Was a payment/contribution made by the applicant to a treasurer or a continuing committee, either directly or through a political action committee (PAC), during the 36 months before the application filing or during the pendency of the application? \_\_\_ Yes X No

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If the payment/contribution above was through a PAC, identify the PAC and the date of the transfer to the treasurer or continuing committee:

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Solicitation and other Payment/Contribution Information

2. Did the applicant solicit a person or business entity to make a payment/contribution to a member during the 36 months before the application filing or during the pendency of the application? \_\_\_ Yes X No

If the answer to #2 above is yes, and a payment/contribution was made, list below the name of the member or members, the date or dates of the payment/contribution, and the name of the contributor:

<u>Name of Member</u>	<u>Date</u>	<u>Name of Contributor</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

3. Did a member of the applicant's household make a payment/contribution to a member during the 36 months before the application filing or during the pendency of the application? \_\_\_ Yes X No

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<u>Name of Member</u>	<u>Date</u>	<u>Name of Contributor</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

I hereby make oath or affirmation that the contents of this affidavit are true and correct to the best of my knowledge, information and belief.

A   
Signature (original to be filed with the Clerk)

7-7-23  
Date

Adam Schwartz  
Printed Name of Signer

\_\_\_\_\_  
Title of Signer (if applicable)

STATE ETHICS COMMISSION  
45 CALVERT STREET, 3<sup>RD</sup> FLOOR  
ANNAPOLIS, MD 21401  
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### Identifying Information

Name of Applicant John Smith Case No. (where applicable) DDS-22005; DPLS-22007

Address of Applicant 15842 Shady Grove Road, Gaithersburg, MD 20877

Identity of the Property/ 1500 University Boulevard, Hyattsville, MD 20783

Subject of Application Tax Map 32, Parcel 76 Type of Application DDS and DPLS  
(see §5-833(d))

<sup>1</sup>Section 5-833 of the Public Ethics Law defines a business entity as a corporation, a general partnership, a joint venture, a limited liability company, a limited partnership or a sole proprietorship.

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1. Was a payment/contribution made by the applicant to a treasurer or a continuing committee, either directly or through a political action committee (PAC), during the 36 months before the application filing or during the pendency of the application? \_\_\_\_ Yes X No

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_____	_____	_____
_____	_____	_____
_____	_____	_____

I hereby make oath or affirmation that the contents of this affidavit are true and correct to the best of my knowledge, information and belief.

*A*

John Smith  
Signature (original to be filed with the Clerk)

7-7-23  
Date

John Smith  
Printed Name of Signer

\_\_\_\_\_  
Title of Signer (if applicable)

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### Identifying Information

Name of Applicant David Terzian Case No. (where applicable) DDS-22005; DPLS-22007

Address of Applicant 15842 Shady Grove Road, Gaithersburg, MD 20877

Identity of the Property/ 1500 University Boulevard, Hyattsville, MD 20783

Subject of Application Tax Map 32, Parcel 76 Type of Application DDS and DPLS  
(see §5-833(d))

<sup>1</sup>Section 5-833 of the Public Ethics Law defines a business entity as a corporation, a general partnership, a joint venture, a limited liability company, a limited partnership or a sole proprietorship.

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_____	_____	_____
_____	_____	_____
_____	_____	_____

I hereby make oath or affirmation that the contents of this affidavit are true and correct to the best of my knowledge, information and belief.

 \_\_\_\_\_

Signature (original to be filed with the Clerk)

 \_\_\_\_\_

Date

David Terzian  
Printed Name of Signer

\_\_\_\_\_  
Title of Signer (if applicable)



# M-NCPPC Development Review Division

## Zoning, Special Exception and Departures Checklist

Submittal Date: September 28, 2023

Project Name & Number: DDS-22005 + DPLS-22007 University Place Shopping Center

Technician Review Date: 10/2/2023 Date to Supervisor: \_\_\_\_\_

Reviewer: \_\_\_\_\_

Date Comments Transmitted to Applicant: \_\_\_\_\_

Revised Plans/Documents Received: \_\_\_\_\_

### PLANNING TECHNICIAN - REVIEW OF BASIC REQUIREMENTS

#### DOCUMENTS REQUIRED:

- Typed and signed Application Form
- CD of all documents/plans required for acceptance
- Zoning Sketch Map (no older than 6 months)**
- Conditions of all previous approvals, including comments from M-NCPPC Permits Office or DER violations
- Approval Letter for SWM Concept Plan
- Tree Conservation Plan or Exemption Letter
- State Ethics Commission Affidavit(s)
- Property Survey, sign/sealed+ bearings/distances
- Pre-Acceptance Assessment Reviews from Transportation and Historic Preservation completely filled out & signed by their staff person**
- Affidavit of Informational Mailing (letter, "Receipt," list of addressees, & affidavit of mailing)
- Receipt and All applicable pre-assessments checklist /Scoping Agreement and
- Point-by-Point Response of Revised Submission **(to be submitted after our initial review comments)**

#### Property Survey:

- Professional Signed and Sealed
- Bearings and Distances in Feet

#### SITE PLAN Requirements:

##### General Notes:

- Subdivision Name
- Total Acreage **(broken down by all zones)**
- Existing Zoning
- Proposed Use of Property
- Number of Lot, Parcels, Outlots & Outparcels
- Breakdown of Proposed Dwelling Units by Type
- Gross Floor Area (Commercial/Industrial Only)
- 200 Foot Map Reference (WSSC)
- Tax map number and grid
- Aviation Policy Area (airport name and APA #)
- Water/Sewer Designation (Existing)
- Water/Sewer Designation (Proposed)
- Stormwater Management Concept Number
- 10-foot Public Utility Easement along all rights-of-way
- Mandatory Park Dedication (if applicable, how to be provided)
- Cemeteries on or contiguous to the property (indicate yes or no)
- Historic Sites on or in the vicinity of the property (indicate yes or no)
- Wetlands (indicate yes or no)
- 100-year floodplain (indicate yes or no)
- Within Chesapeake Bay Critical Area (indicate yes or no)
- Source of topography
- Applicant (indicate either owner or contract purchaser)

##### Drawing Requirements:

- Title Block
- Revision Block
- Professional Signed and Sealed
- Location Map
- North Arrow
- Drawings at Same Scale
- Property Boundaries Outlined in Red with Bearings and Distances
- Zoning of Subject Property
- Total Area Calculation in Square Feet or Acres
- Adjacent Properties – Owner’s Names, Lot, Block, Zoning, Use and Buildings Within 50 feet
- Location, Area, Height and Distance to Property Line for Existing and Proposed Buildings, Structures and Uses
- Dimensions of all Existing and Proposed Buildings and Structures
- Layout of Parking and Loading Facilities
- Access and Internal Circulation
- Schedules for Required Parking and Loading Spaces
- Typical Sizing of Parking and Loading Spaces
- Typical Screening of Loading Facilities
- Drive Aisles - Location, Width, Circulation and Street Connection
- Proposed Striping Method

- Lighting - Location, Height and Luminaire
- Waste Storage Areas and Typical Screening
- Typicals for Fences and Retaining Walls
- Existing and Proposed Rights-of-Way and Easements
- Street Names and Distance to Nearest Intersecting Street
- Existing Vegetation or Tree Cover
- Tidal and Nontidal Wetlands
- Stormwater Management Facilities
- Storm Drains
- Steep Slopes
- Perennial Streams
- 100-Year Floodplain
- Notes of Prior Approvals (i.e., Application # for all prior cases)
- Current Zone Standards -Yards or Building Setbacks, Lot Area, Lot Coverage and Lot Width
- Keyed Locations of Landscape Materials
- Planting Schedules:
  - Residential Requirements
  - Commercial/Residential Landscaped Strip
  - Parking Lot Landscaped Strip
  - Perimeter Area
  - Interior Planting
  - Buffering Res from Streets
  - Bufferyard Planting
  - Planting Details and Specifications
  - Plant Substitution Notes
  - Existing Trees and Preservation Deta

**PLANNER - Statement of Justification Review:**

- Specific Special Exception Requirements - Section \_\_\_\_\_
- General Special Exception Requirements - Section 27-317
- Variances from Special Exception or Zoning Requirements - Section 27-230
- Alternative Compliance with the Landscape Manual - Section 1.3
- Certification of Non-conforming Use 27-244
- Departure from Landscape Manual Requirements - Section 27-239.01(a)(9)(A)&(B)
- Departure from Parking/Loading Design Standards - Section 27-239.01(b)(7)(A)
- Departure from Parking and Loading Spaces - Section 27-588(b)(7)
- Departure from Design Standards 27-239.01
- Departure from Sign Design Standards - Section 27-239.01(a)(9)(A)
- Special Permits 27-239.02
- Conventional Zones - Section 27-157(a)

**APPLICATION DEFICIENCIES**

---

**TECHNICIAN COMMENTS:**

- Submission received. And processed. 10/3/23
- Updated ZSM has been created for applicant & added to dropbox.

**SUPERVISOR COMMENTS: JDH 10/19/23  
SDRC**

**X SCHEDULE FOR**

**-Planning Board level**

**-for reduced parking space size from 9.5 x 19 to 9 X 18 and 14 total space from the required 124.**

**-no other comments**

**REVIEWER COMMENT:**

**Subdivision Section:**     No major subdivision issues. SKC 10/4/23

**Environmental Planning Section: X**

Submit a copy of a valid letter of exemption from the Woodland Conservation Ordinance.

**Geotechnical review:**         No major issues. Okay to accept. DS 10/11/2023

**Transportation Planning Section:**  OK to accept. BR 10/19/23

**Historic-Archeology Section:**         No major issues. OK to accept. AGC 10/04/2023

**Community Planning Division:**   

The subject site is in the boundary for the 2009 *Approved Takoma/Langley Crossroads Sector Plan*. The master plan recommends mixed use land use on the subject site. The 1990 Adopted Sectional Map Amendment for Planning Areas 65, 66, and 67 retained the prior C-S-C (Commercial Shopping Center) Zone for the subject site. On November 29, 2021, the District Council approved CR-136-2021, the Countywide Sectional Map Amendment ("CMA") which reclassified the subject property from C-S-C (Commercial Shopping Center) zone to LTO-C (Local Transit - Oriented - Core) effective April 1, 2022. Okay to accept. EP 10/11/2023.

**Special Projects :**

SPS has no comments for this case type

**Case Number & Name: University Place Shopping Center DDS-22005 + DPLS-22007**

**Assigned Reviewer:** \_\_\_\_\_

Please use the box to state the purpose of the application, as you want it to appear in DAMS description:  
(Note DAMS description can only hold 180 characters)

SELECT the REVIEW level

	<b>Planning Director level review</b> Posting is waived OR Posting is required?
	<b>Planning Board level review</b>

SELECT SDRC scheduling option-

	<b>YES</b> , application must be scheduled for SDRC
	<b>NO</b> , application does NOT need be scheduled for SDRC

SELECT – Business Entity Status with MD prior to preacceptance:

<https://egov.maryland.gov/businessexpress/entitysearch>

	<b>YES</b> , applicant is registered in good standing
	<b>NO</b> , applicant is NOT registered or not in good standing.

Date/Initials: \_\_\_\_\_ Ready for Pre-Acceptance. I have reviewed the sign posting map **linked** and agree OR have changes.

Date/Initials: \_\_\_\_\_ Items needed to complete processing

Supervisor’s Approval: \_\_\_\_\_

\_\_\_\_\_

**GIBBS and HALLER**  
ATTORNEYS AT LAW  
1300 CARAWAY COURT, SUITE 102  
LARGO, MARYLAND 20774  
(301)306-0033  
FAX (301) 306-0037  
www.gibbshaller.com

EDWARD C. GIBBS, JR.  
THOMAS H. HALLER

JUSTIN S. KORENBLATT

December 22, 2023

Crystal Habash  
M-NCPPC Development Review Division  
14741 Governor Oden Bowie Dr  
Upper Marlboro, MD 20772

Re: DDS-22005 + DPLS-22007 Comment Response Letter

Dear Crystal,

In response to the Pre-Application Comments received on October 23, 2023, please find our responses below:

**Comment #1:** Provide Zoning Sketch Map (no older than 6 months)

**Response:** Updated Zoning Sketch Maps are attached.

**Comment #2:** Submit a copy of a valid letter exemption from the Woodland Conservation Ordinance.

**Response:** Per the Environmental Planning Guidelines (Table B-1), for Zoning Applications, an NRI is not required where the proposed disturbance is less than 5,000 square feet. The project engineer was advised that where an NRI-EL is not required, a Woodland Conservation Letter of Exemption Application will not be accepted. An application for WCO-Ex was prepared (see attached) but not submitted because the proposed disturbance is less than 5,000 square feet.

If you have any questions or require additional information, please do not hesitate to contact me by phone at (301)-306-0033 or by email at [thaller@gibbshaller.com](mailto:thaller@gibbshaller.com).

Very truly yours,

Gibbs and Haller



Thomas H. Haller

# UNIVERSITY PLACE SHOPPING CENTER

Departure from Design Standards  
Companion Case : DPLS-22007

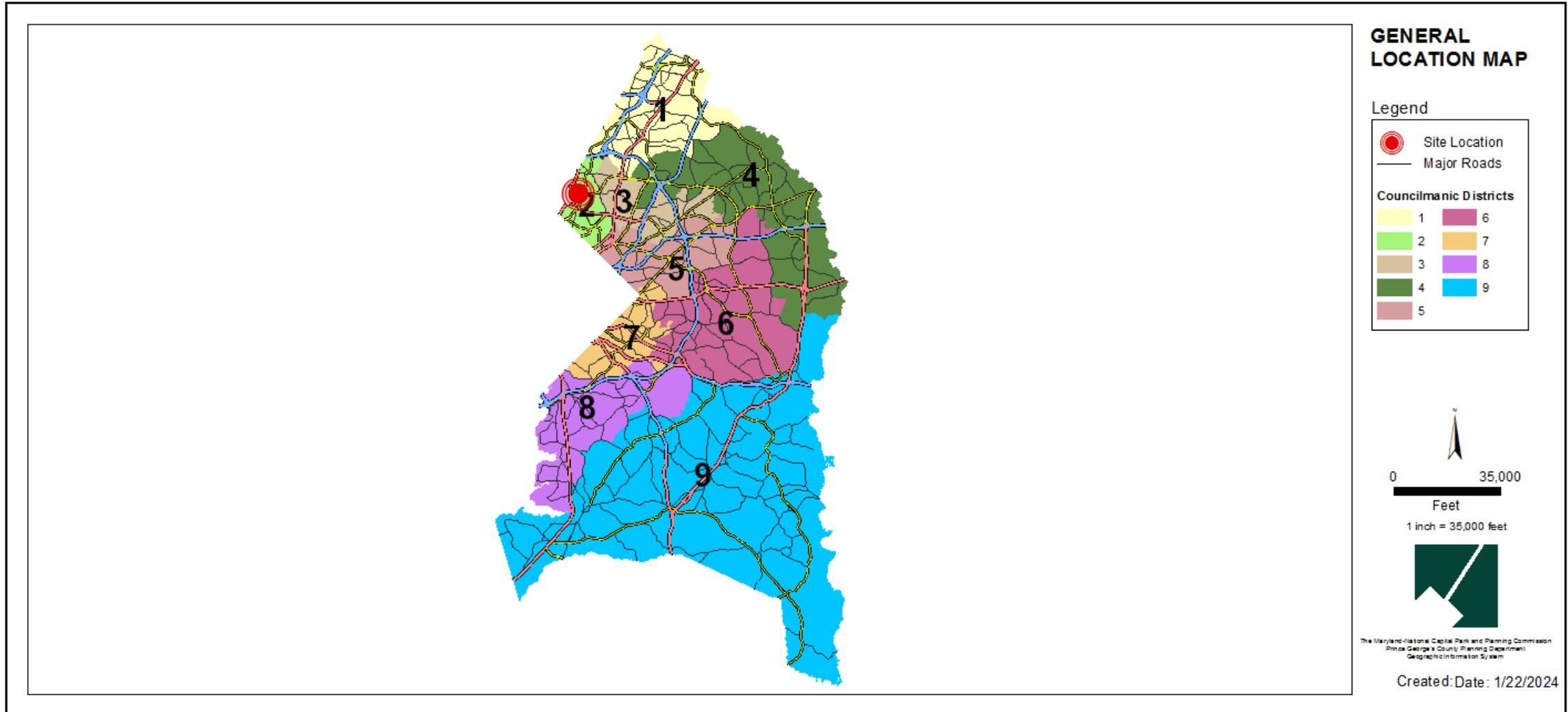
**Staff Recommendation: APPROVAL** with conditions



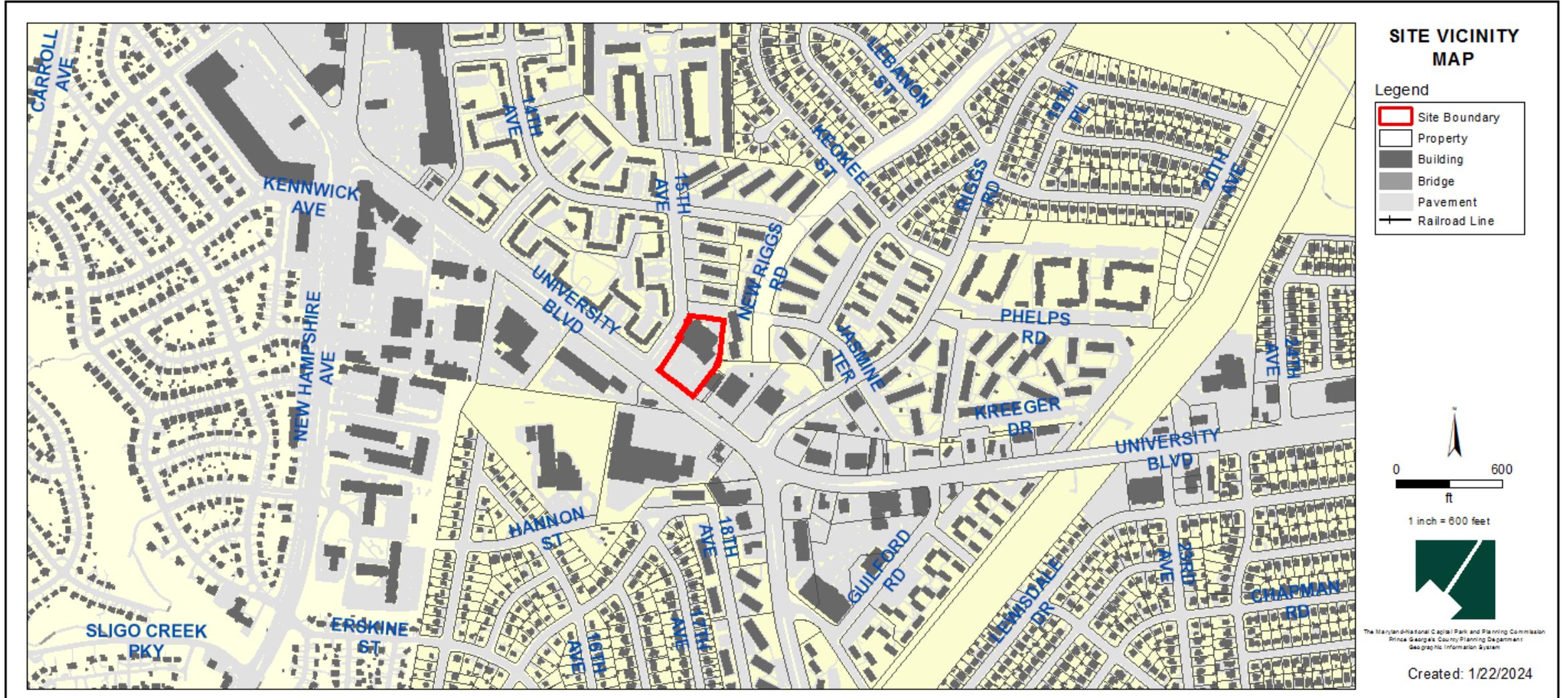
# GENERAL LOCATION MAP

Council District: 02

Planning Area: 065



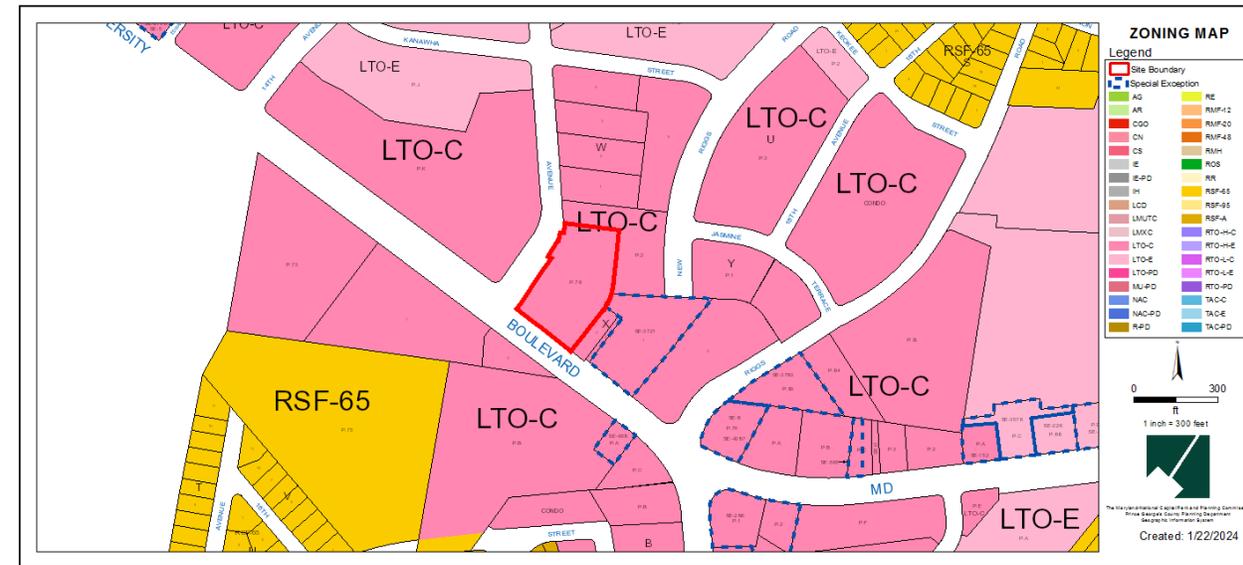
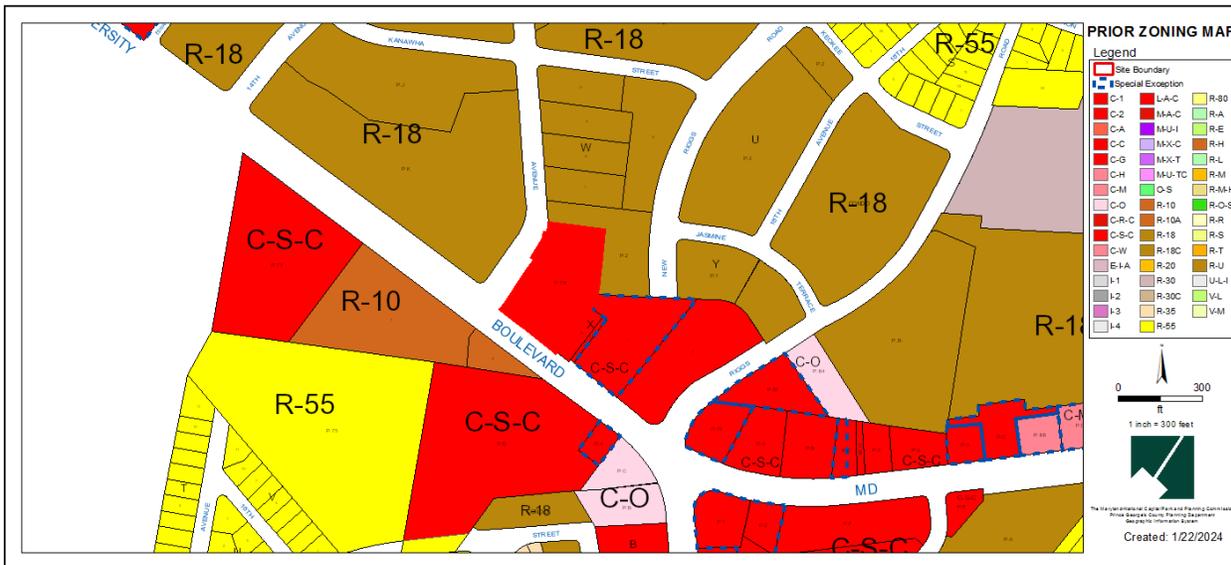
# SITE VICINITY MAP



# ZONING MAP (PRIOR AND CURRENT)

Prior Property Zone: C-S-C

Current Property Zone: LTO-C



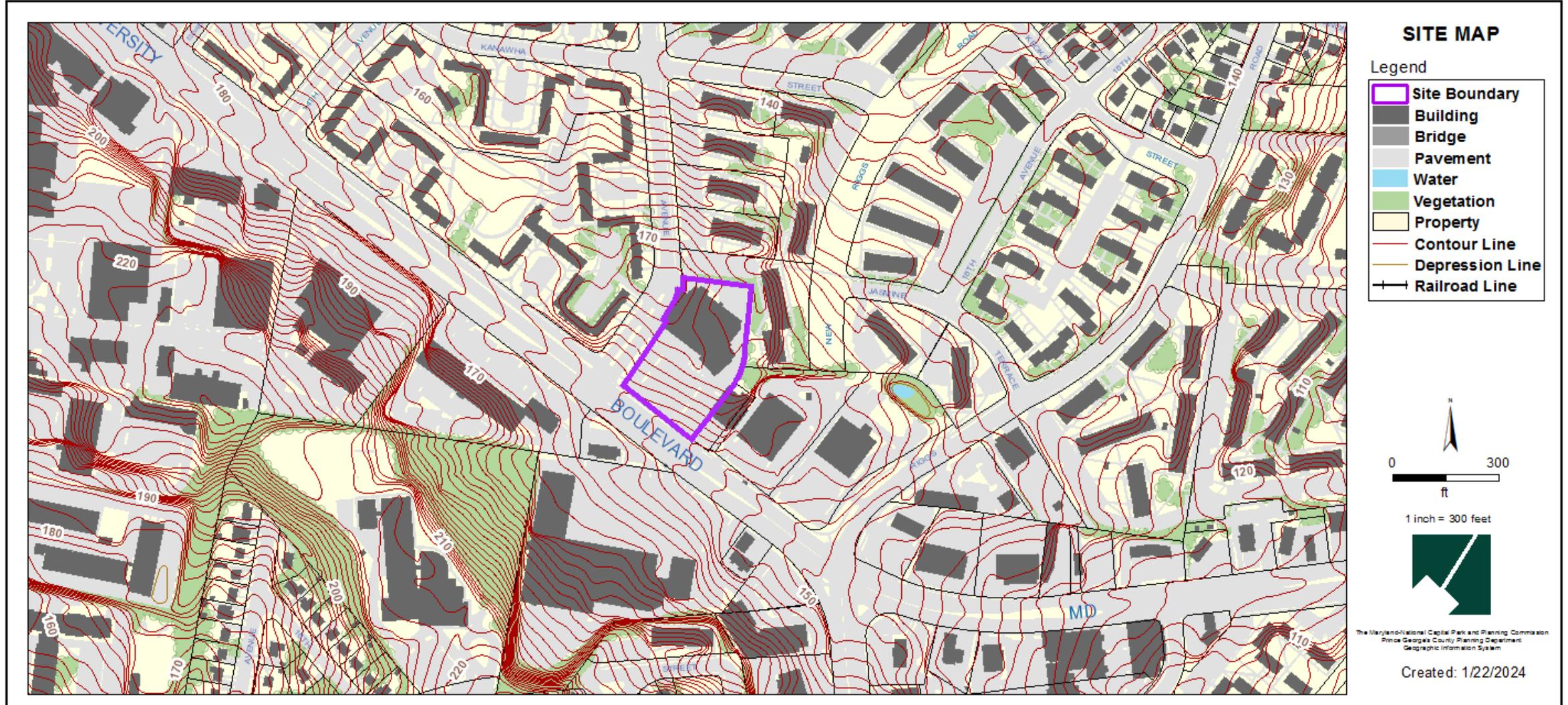
# OVERLAY MAP (PRIOR AND CURRENT)



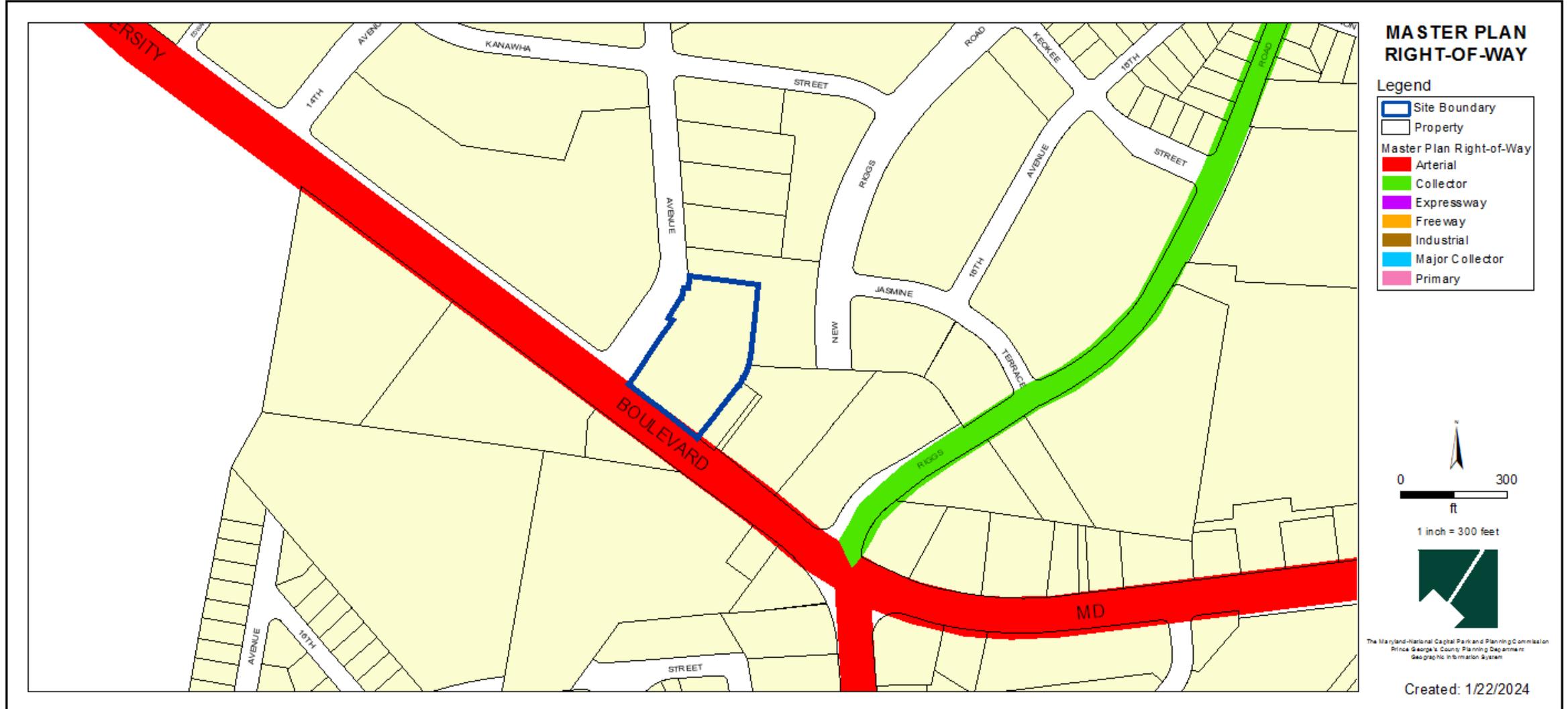
# AERIAL MAP



# SITE MAP



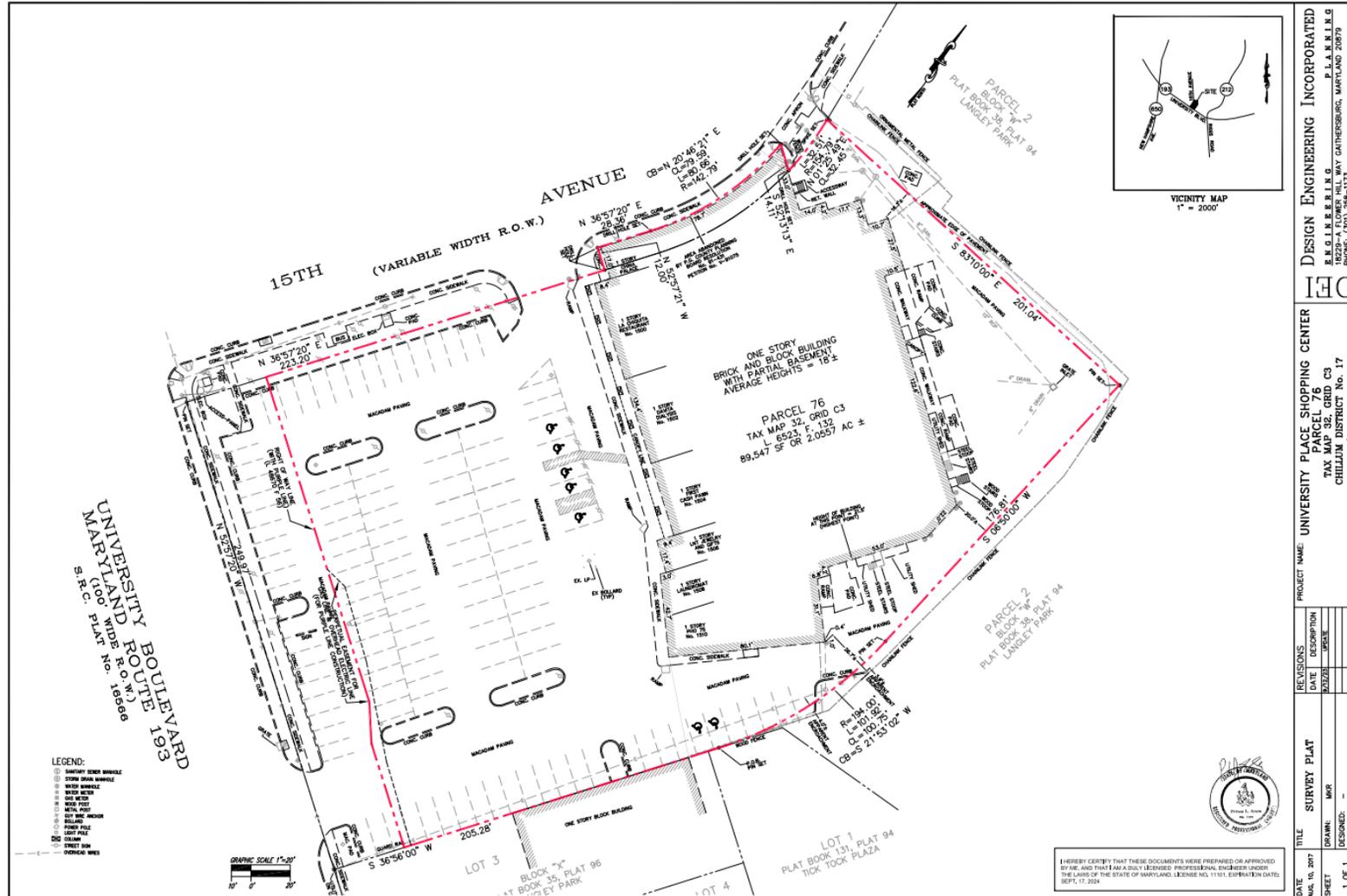
# MASTER PLAN RIGHT-OF-WAY MAP



## BIRD'S-EYE VIEW WITH APPROXIMATE SITE BOUNDARY OUTLINED



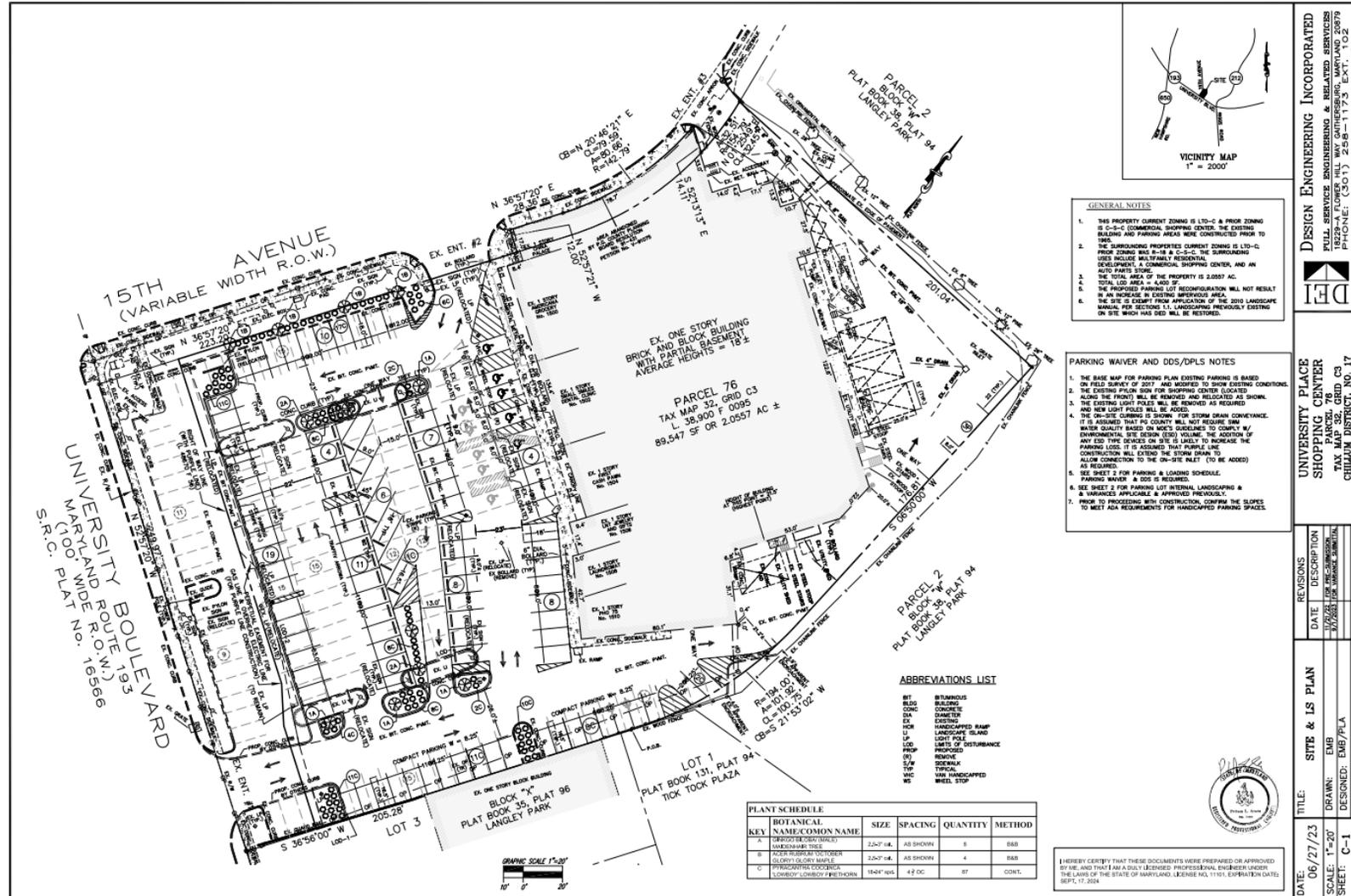
# SURVEY PLAT



DESIGN ENGINEERING INCORPORATED B.L.A. & N.L.L.E. 16222-A FLOWER HILL WAY GAITHERSBURG, MARYLAND 20879 PHONE: (301) 298-1173 FAX: (301) 298-0683	
PROJECT NAME: UNIVERSITY PLACE SHOPPING CENTER	
PARCEL 76 TAX MAP 32, GRID C3 CHILLUM DISTRICT No. 17 PRINCE GEORGE'S COUNTY, MARYLAND	
DATE: MAR. 15, 2017	TITLE: SURVEY PLAT
SHEET: 1 OF 1	DESIGNED: MWR CHECKED: NAR
REVISIONS	DESCRIPTION
DATE	DATE
BY	BY

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME AND THAT I AM A FULLY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND. LICENSE NO. 11101, EXPIRES ON DATE: SEPT. 17, 2024

# SITE AND LANDSCAPE PLAN



# STAFF RECOMMENDATION

**Departure from Design Standards DDS-22005**

**Departure from Parking and Loading Spaces DPLS-22007**

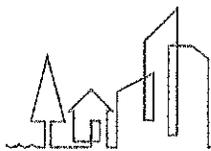
- **APPROVAL** with conditions

## **Major Issues:**

- None

## **Applicant Required Mailings:**

- Informational Mailing 7/7/2023
- Acceptance Mailing 11/28/2023



The Maryland-National Capital Park and Planning Commission

**PRINCE GEORGE'S COUNTY  
Planning Department**

1616 McCormick Drive, Largo, MD 20774 • [pgplanning.org](http://pgplanning.org) • Maryland Relay 7-1-1

## NOTICE OF PUBLIC HEARING

**Application Number: DDS-22005 and DPLS-22007**

**Application Name: UNIVERSITY PLACE SHOPPING CENTER**

**Date and time of Planning Board hearing: Thursday, February 29, 2024 @ 10:00 a.m. EST**

**Description of Request: RECONFIGURE FRONT PARKING FIELD DUE TO ACQUISITION OF PROPERTY BY STATE HIGHWAY ADMINISTRATION, TO CONSTRUCT PURPLE LINE.**

**Address or Location: 1500 UNIVERSITY BOULEVARD, HYATTSVILLE**

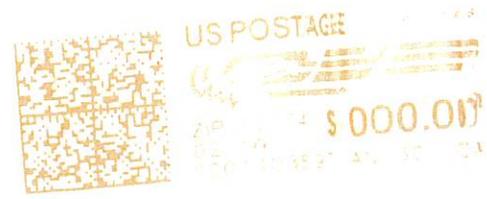
This Notice of Public Hearing is sent to you, a registered **person of record (or a register civic association or municipality) for the subject application.**

This Notice also provides information about Planning Board procedures. A technical staff report (TSR), with a recommendation to the Planning Board (Board), will be prepared by the assigned reviewer and published on the Planning Department's website within one to two weeks prior to the scheduled hearing date (noted above). Technical staff reports may be viewed online and printed. Within three weeks of the Board's hearing and decision, a formal resolution will be adopted by the Board and published on the website for viewing and printing. If you have any questions about the process, please contact the Development Review Division at 301-952-3530.

All Planning Board hearings are scheduled to begin at 10:00 a.m. The order of the agenda items is for the convenience of the Planning Board and is subject to change without notice. If you would like to become a party of record, visit our website at [http://www.mncppcapps.org/planning/Person\\_of\\_Record/default.cfm](http://www.mncppcapps.org/planning/Person_of_Record/default.cfm).

The Planning Board encourages the participation of all individuals to include those with special needs; advanced notice is encouraged. For special needs assistance, please call 301-952-4584. If you wish to receive the Planning Board Agenda and other published reports by email, please sign up at [http://www.pgplanning.org/Planning\\_Board/Agenda\\_Subscribe.htm](http://www.pgplanning.org/Planning_Board/Agenda_Subscribe.htm) and be sure to visit [www.pgplanning.org](http://www.pgplanning.org) for the latest information on all Department projects.

**Attention: Due to COVID-19, Planning Board meetings are held virtually and may be viewed at <http://mncppc.iqm2.com/Citizens/Default.aspx>. If you wish to speak at the public hearing, registration must be received by 12 noon on Tuesday before the meeting; please register at <http://pgplanningboard.org/883/Watch-Meetings>. Submit comments and supporting documentation into the record by emailing [PGCPB@mncppc.org](mailto:PGCPB@mncppc.org), also by 12 noon on Tuesday before the meeting.**



*\$ 0.64  
Abi*

CASE NO: DDS-22005 & DPLS-22007  
CASE NAME: UNIVERSITY PLACE  
SHOPPING CENTER  
PARTY OF RECORD: 5  
PB DATE:

WANIKA B FISHER  
PRINCE GEORGE'S COUNTY COUNCIL  
1301 MCCORMICK DRIVE, 2ND FLOOR WAYNE  
K. CURRY ADMINISTRATION BUILDING  
LARGO MD 20774  
(CASE NUMBER: DDS-22005 & DPLS-22007)

UNIVERSITY PLACE CENTER LLC  
15942 SHADY GROVE ROAD  
GAITHERSBURG MD 20877  
(CASE NUMBER: DDS-22005 & DPLS-22007)

GIBBS AND HALLER  
1300 CARAWAY COURT SUITE 102  
UPPER MARLBORO MD 20774  
(CASE NUMBER: DDS-22005 & DPLS-22007)

CALVIN S HAWKINSII  
AT-LARGE MEMBER  
1301 MCCORMICK DRIVE, 2ND FLOOR WAYNE  
K. CURRY ADMINISTRATION BUILDING  
LARGO MD 20774  
(CASE NUMBER: DDS-22005 & DPLS-22007)

MEL S FRANKLIN  
AT-LARGE MEMBER  
1301 MECORMICK DRIVE SUITE 2ND WAYNE K.  
CURRY ADMINISTRATION BUILDING  
LARGO MD 20774  
(CASE NUMBER: DDS-22005 & DPLS-22007)





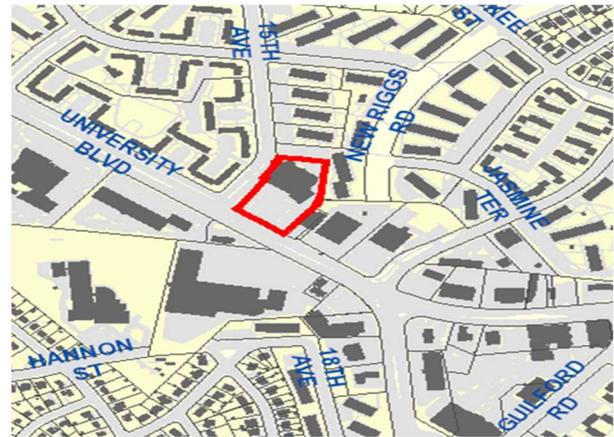
The Maryland-National Capital Park and Planning Commission  
 Prince George's County Planning Department  
 Development Review Division  
 301-952-3530

Note: Staff reports can be accessed at <https://www.mncppc.org/883/Watch-Meetings>

**Departure from Design Standards** **DDS-22005**  
**Departure from Parking and Loading Standards** **DPLS-22007**  
**University Place Shopping Center**

REQUEST	STAFF RECOMMENDATION
<p><b>DDS-22005:</b> A departure from Section 27-558(a) of the prior Prince George's County Zoning Ordinance.</p> <p><b>DPLS-22007:</b> A departure from Section 27-568(a) of the prior Prince George's County Zoning Ordinance.</p>	<p>With the conditions recommended herein:</p> <ul style="list-style-type: none"> <li>• APPROVAL of Departure from Design Standards DDS-22005</li> <li>• APPROVAL of Departure from Parking and Loading Standards DPLS-22007</li> </ul>

<b>Location:</b> On the northeast corner of University Boulevard and 15th Avenue.	
Gross Acreage:	2.05
Zone:	LTO-C
Prior Zone:	C-S-C
Gross Floor Area:	29,090 sq. ft.
Lots:	0
Parcels:	1
Planning Area:	65
Council District:	02
Municipality:	N/A
<b>Applicant/Address:</b> University Place Center LLC 15942 Shady Grove Road Gaithersburg, MD 20877	
<b>Staff Reviewer:</b> Todd Price <b>Phone Number:</b> 301-952-3994 <b>Email:</b> Todd.Price@ppd.mncppc.org	



Planning Board Date:	02/29/2024
Planning Board Action Limit:	N/A
Staff Report Date:	02/15/2024
Date Accepted:	01/03/2024
Informational Mailing:	07/07/2023
Acceptance Mailing:	11/29/2023
Sign Posting Deadline:	01/30/2024

The Planning Board encourages all interested persons to request to become a person of record for this application. Requests to become a person of record may be made online at [http://www.mncppcapps.org/planning/Person\\_of\\_Record/](http://www.mncppcapps.org/planning/Person_of_Record/). Please call 301-952-3530 for additional information.

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THE MARYLAND-NATIONAL CAPITAL  
PARK AND PLANNING COMMISSION

PRINCE GEORGE'S COUNTY PLANNING BOARD

STAFF REPORT

SUBJECT: Departure from Design Standards DDS-22005  
Departure from Parking and Loading Standards DPLS-22007  
University Place Shopping Center

The Zoning staff have reviewed the departure from design standards and departure from parking and loading standards for the subject property and presents the following evaluation and findings leading to a recommendation of APPROVAL, with conditions, as described in the Recommendation section of this technical staff report.

**EVALUATION CRITERIA**

This application for a departure from design standards and a departure from parking and loading standards is being reviewed and evaluated in accordance with the Prince George's County Zoning Ordinance, effective prior to April 1, 2022 (prior Zoning Ordinance), as permitted by Section 27-1903(c) of the Zoning Ordinance. Section 27 1903(c) allows for development proposals of any type to utilize the prior Zoning Ordinance for development of a property. Accordingly, staff considered the following in reviewing this application:

- a. The requirements of prior approvals;
- b. The requirements of the prior Prince George's County Zoning Ordinance;
- c. The requirements of the 2010 *Prince George's County Landscape Manual*;
- d. The requirements of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance;
- e. The requirements of the Prince George's County Tree Canopy Coverage Ordinance;
- f. Referral comments; and
- g. Community feedback.

## FINDINGS

1. **Request:** The applicant proposes to reconfigure the front parking lot, due to acquisition of 10,335 square feet of property by the Maryland Department of Transportation (MDOT), for the construction of the Purple Line light rail. To accomplish this, the applicant requests the following:
  - a. The applicant requests a departure from design standards (DDS) per Section 27-558(a) of the prior Prince George's County Zoning Ordinance. Section 27-558(a) provides design standards for parking space sizes. Standard nonparallel parking spaces are required to measure 19 feet by 9.5 feet. Compact nonparallel parking spaces are required to measure 16.5 feet by 8 feet. The applicant requests that the proposed standard nonparallel spaces be reduced to 18 feet by 9 feet, to maximize the number of standard spaces within the remaining parking lot.
  - b. The applicant requests a departure from parking and loading standards (DPLS) per Section 27-568 of the prior Zoning Ordinance. Section 27-568 dictates the minimum number of parking spaces required. Accordingly, the site requires 124 parking spaces. The applicant proposes a reduction of 17 spaces, for a proposed total of 107 spaces.

The site is occupied by an existing integrated shopping center and associated parking lots in both the front and rear of the shopping center. The existing shopping center is fully leased to five tenants—two eating and drinking establishments, a pawnshop, a laundromat/hair salon, and a dialysis center. According to the applicant, the shopping center has operated since 1959 and its customers have been served by the existing parking lot. The applicant proposes to reconfigure the front parking lot to maximize the number of parking spaces on-site. The acquisition of land by MDOT encroached roughly 40 feet as measured from the prior right-of-way line. As a result, MDOT's acquisition reduced the number of parking spaces within the parking lot from 125 spaces to 85 spaces, which resulted in the parking lot no longer providing the number of parking spaces required under the prior Zoning Ordinance. Some of the 85 remaining spaces are unusable because the acquisition also encroached into the drive aisles of the parking lot, requiring a redesign of the circulation pattern and layout.

Under the prior Zoning Ordinance, 124 parking spaces are required for the shopping center. Integrated shopping centers with 25,000 to 400,000 square feet of gross leasable area (GLA) require one parking space per 250 square feet of GLA. A medical practitioner's office (medical clinics) occupying more than 20 percent of an integrated shopping center requires one parking space per 200 square feet of GLA. In this case, the dialysis center contains a total of 6,986 square feet, or 24 percent of the total shopping center. Accordingly, 35 parking spaces are required for the dialysis center and 89 parking spaces are required for the remainder of the integrated shopping center, for a total of 124 parking spaces. As noted above, following MDOT's acquisition of 10,335 square feet of the property, there are only 85 parking spaces within the parking lot.

2. **Development Data Summary:** The following chart summarizes the development for the overall University Place Shopping Center property.

	<b>EXISTING</b>	<b>EVALUATED</b>
Zone	LTO-C	C-S-C (Prior)
Use(s)	Commercial	Commercial
Total Acreage	2.05	2.05
Number of Lots	0	0
Parcels	1	1
Total Gross Floor Area (GFA)	29,090 sq. ft.	29,090 sq. ft.

**Parking Tabulation**

<b>Use</b>	<b>Parking Ratio</b>	<b>Required parking Spaces</b>
Medical Office	1 per 250 GLA	35
Integrated Shopping Center	1 space per 250 GFA	89
<b>Total parking</b>		<b>124</b>

<b>Parking spaces provided</b>	<b>Number of spaces</b>
Regular 9 ft. x 18 ft.	77
Parallel 8 ft. x 22 ft.	3
Compact 8.25 ft x 16.5 ft.	22
Handicap	5
Total parking with Departure	107
Percentage of parking departure	14%

3. **Location:** The subject site is located on the northeast corner of the intersection of University Boulevard and 15th Avenue. The property is inside I-95/495 (Capital Beltway) and consists of one parcel shown on Tax Map 32, Grid C-3, known as Parcel 76, which is recorded by deed, in Book 38900 page 195 of the Prince George’s County Land Records. The subject property is currently improved with a 29,090-square-foot integrated shopping center, originally constructed around 1959.
4. **Surrounding Uses:** All surrounding properties are currently within the Local Transit-Oriented-Core (LTO-C) Zone. The subject site is bounded to the north and northeast by multifamily development in the prior Multifamily Medium Density Residential (R-18) Zone; to the southeast by commercial uses in the prior Commercial Shopping Center (C-S-C) Zone; to the south and southwest by University Boulevard and commercial uses in the prior Multifamily High Density Residential (R-10) and C-S-C Zones beyond; and to the west by 15th Avenue and multifamily development in the R-18 Zone beyond.
5. **Previous Approvals:** There are no prior preliminary plans of subdivision (PPS) or final plats of subdivision for the subject property. Parcel 76 was created through subdivision by deed prior to January 1, 1982.

The following variances were heard and approved by the Prince George's County Board of Zoning Appeals on September 14, 1988, March 22, 1989, and April 5, 1989 (BZA Case No. 9498):

- a. A variance to Section 27-450(a)(1) of the prior Zoning Ordinance, for a 10-foot landscape strip.
- b. A variance to Section 27-450(a)(1) for a reduction by half of landscaping and screening.
- c. A variance to building setbacks, including 10 feet from the street, a 25-foot rear setback, and a 12-foot side setback.
- d. A variance to Section 27-462(b) of the prior Zoning Ordinance, for a street deemed to be 70 feet wide that allowed the existing right-of-way to suffice.

These variances are not affected by the proposed parking reconfiguration.

Prior to 1965, an addition to the shopping center was constructed that encroached into the right-of-way for 15th Avenue. To validate this encroachment, a Vacation Petition (V-91075) was approved on November 21, 1991, by the Prince George's County Planning Board via PGCPB Resolution No. 91-431.

The property is not subject to a natural resources inventory (NRI) or tree conservation plan (TCP).

**6. Prince George's County Zoning Ordinance Requirements:**

**Departure from Design Standards:** The criteria for approval of a DDS are set forth in Section 27-239.01(b)(7)(A) of the prior Zoning Ordinance. The required findings of Section 27-239.01(b)(7)(A) are shown in **BOLD** below, followed by staff responses in plain text:

**(A) In order for the Planning Board to grant the departure, it shall make the following findings:**

**(i) The purposes of this Subtitle will be equally well or better served by the applicant's proposal;**

The purposes of Subtitle 27 of the prior Zoning Ordinance will be better served by the applicant's proposal to provide 9 feet by 18 feet parking spaces, rather than the required 9.5 feet by 19 feet standard parking spaces. MDOT's acquisition of land from the property for the Purple Line renders the site too compact to accommodate the existing integrated shopping center and comply with the parking standards of the prior Zoning Ordinance. This acquisition has reduced the number of parking spaces from 125 to 85. Reconfiguring the parking lot to provide 9 feet by 18 feet parking spaces allows the applicant to maximize the number of spaces while maintaining an adequate parking space size. With the departure, the applicant can provide 22 additional parking spaces which will bring the total

number of spaces closer to the required 124 spaces. Furthermore, the proposed 9 feet by 18 feet dimension is the standard parking space size in the current Zoning Ordinance, effective April 1, 2022, as well as for many local jurisdictions, including neighboring Montgomery County. Accordingly, staff find the requested departure will serve the purposes of the prior Zoning Ordinance better than providing the required standard 9.5 feet by 19 feet parking spaces.

**(ii) The departure is the minimum necessary, given the specific circumstances of the request.**

Given the site constraints due to the acquisition of land related to the construction of the Purple Line, the requested departure is the minimum necessary to recover as much parking as possible. By reducing the parking space size from 9.5 feet by 19 feet to 9 feet by 18 feet, the applicant can provide additional parking spaces on-site. This reduces the required DPLS to 17 parking spaces.

**(iii) The departure is necessary in order to alleviate circumstances which are unique to the site or prevalent in areas of the County developed prior to November 29, 1949;**

This departure is necessary due to the circumstances resulting from MDOT's acquisition of land related to the construction of the Purple Line. The acquisition reduces the area of the existing parking lot on-site, thereby requiring the applicant to reconfigure it to provide adequate parking. By decreasing the parking space size from 9.5 feet by 19 feet, to 9 feet by 18 feet, the applicant can provide adequate parking for the existing uses within the property's shopping center.

**(iv) The departure will not impair the visual, functional, or environmental quality or integrity of the site or of the surrounding neighborhood.**

As shown on the site plans, the proposed reconfiguration of the front parking lot will not impair the visual, functional, or environmental quality or integrity of the site, or of the surrounding neighborhood. New striping and landscaping will be installed which will update the parking lot and increase its visual appeal.

Based on the preceding analysis, staff find that the required findings for approval set forth in Section 27-239.01(b)(7)(A) are met for DDS-22005.

**Departure from Parking and Loading Spaces:** The criteria for approval of a DPLS are set forth in Section 27-588(b)(7)(A) of the prior Zoning Ordinance. The required findings of Section 27-588(b)(7)(A) are shown in **BOLD** below, followed by staff responses in plain text:

**(A) In order for the Planning Board to grant the departure, it shall make the following findings:**

**(i) The purposes of this Part (Section 27-550) will be served by the applicant's request;**

Staff find that the four purposes listed under Section 27-550 of the prior Zoning Ordinance will be served by the applicant's request. The purposes of Part 11 of the prior Zoning Ordinance are shown in **BOLD** below, followed by staff's analysis in plain text.

**[Section 27-550. Purposes**

**(a) The purposes of this Part are:**

**(1) To require (in connection with each building constructed and each new use established) off-street automobile parking lots and loading areas sufficient to serve the parking and loading needs of all persons associated with the buildings and uses;**

The proposed 107 spaces will be sufficient to serve the uses of the existing shopping center. According to the applicant's statement of justification (SOJ), a significant amount of the shopping center's customers arrive by foot or by mass transit. A Washington Metropolitan Area Transit Authority bus stop is located on University Boulevard, directly across 15th Avenue, from the property. In addition, the construction of the Purple Line will result in a proposed light rail station less than 300 feet east of the property. The applicant also points out that in the current LTO-C Zone, there is no minimum parking requirement, but the applicant would have to bring all aspects of the site into compliance with the current code.

The applicant's SOJ also notes that a parking study dated October 2021 and conducted by the Maryland-National Capital Park and Planning Commission, for the Takoma/Langley Crossroads area, found no shortfall of available parking for the commercial areas within the study boundary. This study included the subject property. Although this study was conducted prior to the acquisition of land by MDOT for this property, staff took this into consideration regarding the request for reduced parking at the site.

Staff find that a reduced number of parking spaces is appropriate at this location.

**(2) To aid in relieving traffic congestion on streets by reducing the use of public streets for parking and loading and reducing the number of access points;**

The proposed reconfiguration will not affect the location of two existing access points, one from University Boulevard and one from 15th Avenue. Maintaining single access points from each road will continue to relieve traffic congestion on those streets. Adequate on-site parking provided by the shopping center will reduce the use of public streets for parking and loading and protect the character of the nearby residential streets.

**(3) To protect the residential character of residential areas; and**

The proposed reconfiguration will protect the residential areas by recouping on-site parking lost to the MDOT land acquisition, and thus, reduce the need for parking along public streets and residential areas.

**(4) To provide parking and loading areas which are convenient and increase the amenities in the Regional District.]**

As previously noted, the shopping center has been serving the community since 1959. The reconfiguration of the parking lot will provide convenient parking and loading areas for this existing community amenity.

**(ii) The departure is the minimum necessary, given the specific circumstances of the request;**

Given the site constraints due to MDOT's acquisition of land from the property, for the construction of the Purple Line, the requested departure is the minimum necessary. The applicant has also requested a DDS reduction of parking space size and parking layout to maximize the number of parking spaces on-site. Further adjustments cannot be made to provide additional parking nor is additional parking necessary, as noted above.

**(iii) The departure is necessary in order to alleviate circumstances which are special to the subject use, given its nature at this location, or alleviate circumstances which are prevalent in older areas of the County which were predominantly developed prior to November 29, 1949;**

This departure is necessary due to the circumstances resulting from MDOT's acquisition of land related to the construction of the Purple Line. As noted above, the acquisition reduced the number of parking spaces at the property by 40 spaces, from 125 spaces to 85 spaces. However, because the existing

shopping center requires 124 spaces, the applicant proposes to reconfigure the parking area, to recoup 22 spaces. This reconfiguration will give the shopping center 107 spaces, which is 17 shy of the required 124 spaces required. Thus, this departure is necessary.

The primary structure was constructed in 1959 and did not exist before 1949.

- (iv) **All methods for calculating the number of spaces required (Division 2, Subdivision 3, and Division 3, Subdivision 3, of this Part) have either been used or found to be impractical; and**

The applicant has employed all methods of calculating the number of spaces required.

- (v) **Parking and loading needs of adjacent residential areas will not be infringed upon if the departure is granted.**

Staff find that sufficient on-site parking and loading for the shopping center will prevent customers and delivery vehicles from infringing on the parking and loading needs of adjacent residential areas.

Based on the preceding analysis, staff find that the required findings for approval set forth in Section 27-588(b)(7)(A) are met for DPLS-22007.

- 7. **2010 Prince George's County Landscape Manual:** As stated in Section 1.1, Applicability, of the 2010 *Prince George's County Landscape Manual* (Landscape Manual), this site is exempt from the requirements of the Landscape Manual because it is a developed site that was otherwise lawful on December 13, 2010, and the applicant's proposed changes to the parking lot do not require a building or grading permit. The existing improvements were constructed prior to the adoption of the Landscape Manual. There is no increase in impervious area. However, the site plans contain a chart entitled "Landscape Development Statistics" which conforms to the requirements that pre-date the Landscape Manual. Specifically, the parking lot provided five percent of interior green area under prior approvals. Prior to MDOT's acquisition, part of the parking lot contained a total of 46,170 square feet, requiring 2,309 square feet of interior green area. A total of 2,709 square feet was provided. MDOT's acquisition reduced the area of the parking lot to 38,430 square feet, thereby reducing the required green area to 1,947 square feet. The total interior green area provided is 2,258 square feet, which exceeds the minimum five percent previously required.

Staff find that the proposed plantings and green area meet previous landscape requirements.

- 8. **Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO):** The site does not have a valid NRI or TCP. According to PGAtlas, no regulated environmental features or County regulated 100-year floodplain are mapped within this site. The site is entirely developed with a parking lot, existing building, and associated circulation. These application types do not require an NRI or TCP. However, if a grading

permit is required, a standard letter of exemption from the WCO and an NRI equivalency letter will be required at the time of permit.

9. **Prince George's County Tree Canopy Coverage Ordinance:** Given that this reconfiguration does not propose 5,000 square feet or greater of gross floor area or disturbance, or require a building or grading permit, these cases are exempt from the Tree Canopy Coverage Ordinance.
10. **Referrals:** The subject applications were referred to the concerned agencies and divisions. The referral comments are incorporated herein by reference, and are summarized as follows:
  - a. **Community Planning**—In two separate memorandums dated January 31, 2024 (Perry to Price), the Community Planning Division provided an analysis of the subject applications DDS-22005 and DPLS-22007. No issues were identified.
  - b. **Transportation Planning**—In a memorandum dated January 29, 2024 (Daniels to Price), the Transportation Planning Section offered an analysis of the subject applications and recommends approval of DDS-22005 and DPLS-22007.
  - c. **Permit Review**—In a memorandum dated November 6, 2023 (Shaffer to Price), the Permit Review Section offered comments, one of which has been incorporated as Condition 1.g. in the Recommendation section of this technical staff report.
  - d. **Environmental Planning**—In a memorandum dated January 22, 2024 (Juba to Price), the Environmental Planning Section provided an analysis of the subject applications, and no environmental issues were identified. The Environmental Planning Section recommends approval of DDS-22005 and DPLS-22007.
  - e. **Subdivision**—In a memorandum dated January 29, 2024 (Gupta to Price), the Subdivision Section provided an analysis of the subject applications and offered comments, one of which has been included as Condition 1.h. in the Recommendation section of this technical staff report. Subdivision staff noted that since the shopping center was in existence prior to January 1, 1990, and Parcel 76 was created through subdivision by deed prior to January 1, 1982, this development is exempt from the requirement of filing a PPS and a final plat of subdivision.
  - f. **Prince George's County Department of Permitting, Inspections and Enforcement (DPIE)**—In a memorandum dated January 30, 2024 (Giles to Price), DPIE offered an analysis of the subject applications and had no objections to DDS-22005 and DPLS-22007.
11. **Community Feedback:** As of the writing of this technical staff report, there has not been any community opposition or feedback for these applications.

## RECOMMENDATION

Based upon the foregoing evaluation and analysis, the Zoning staff recommend that the Planning Board adopt the findings of this technical staff report and APPROVE Departure from Design Standards DDS-22005, and Departure from Parking and Loading Standards DPLS-22007, for University Place Shopping Center, subject to the following condition:

1. Prior to certification, the site plans shall be revised as follows:
  - a. Show handicap ramps on the plan and label.
  - b. Remove bollards that obstruct a handicap ramp.
  - c. On the site plans, distinguish circular planting count labels from circular parking count labels by providing a different shape around planting numbers.
  - d. Provide a photometric plan of the entire site.
  - e. Provide bike racks within 25 feet of the principal building.
  - f. Relocate the "Do Not Enter Sign" from the east side of the building to the west side of the building.
  - g. Drive aisle widths of all entrances and exits shall be demonstrated on the site plan.
  - h. The bearings and distances of the new property boundary along University Boulevard shall be shown on the site plan.
  - i. Revise the parking schedule to label medical office square footage as gross leasable area.

# UNIVERSITY PLACE SHOPPING CENTER

Departure from Design Standards

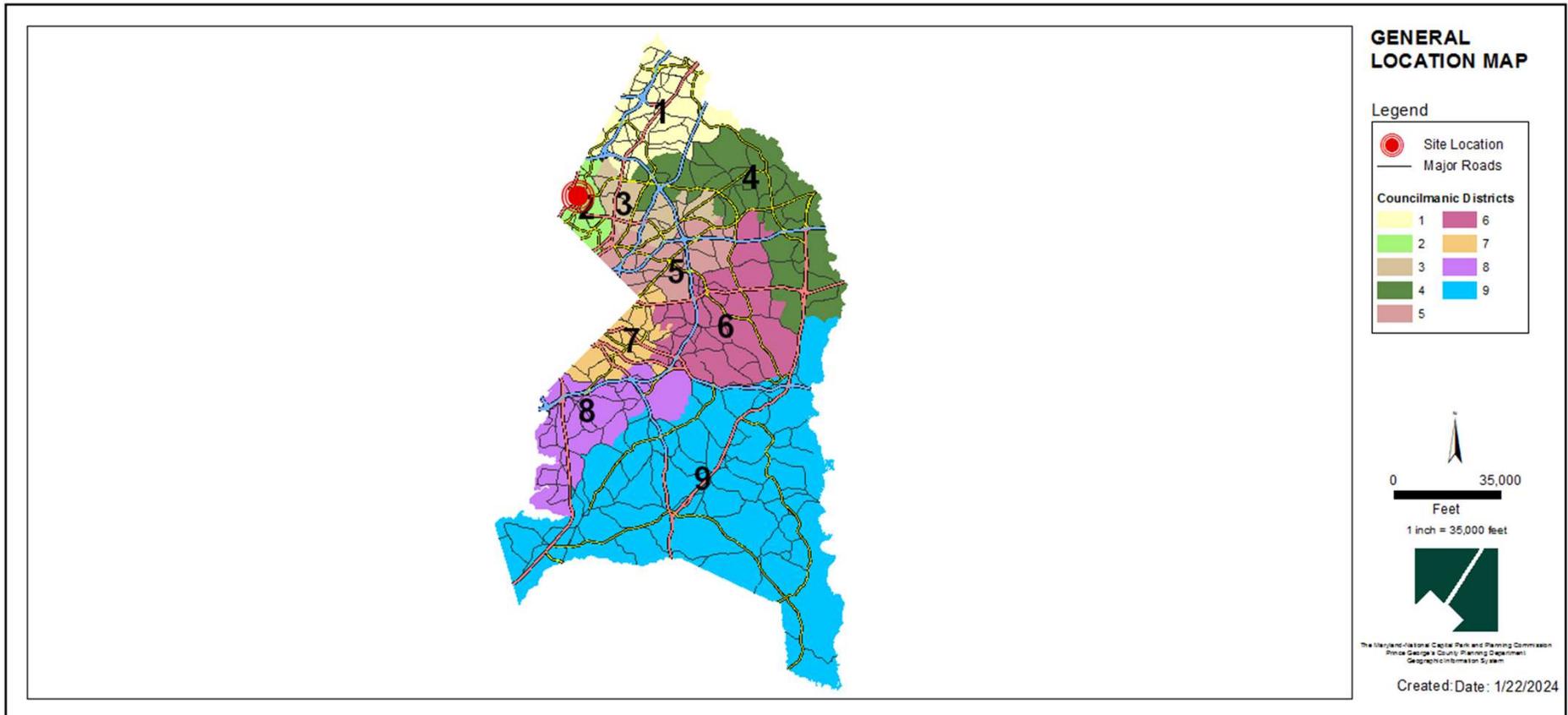
Companion Case : DPLS-22007

**Staff Recommendation: APPROVAL** with conditions



# GENERAL LOCATION MAP

Council District: 02  
Planning Area: 065



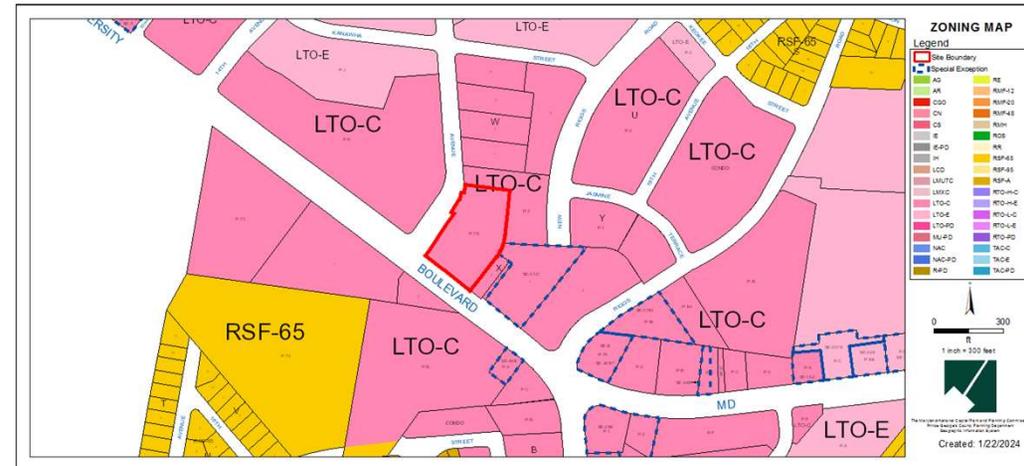
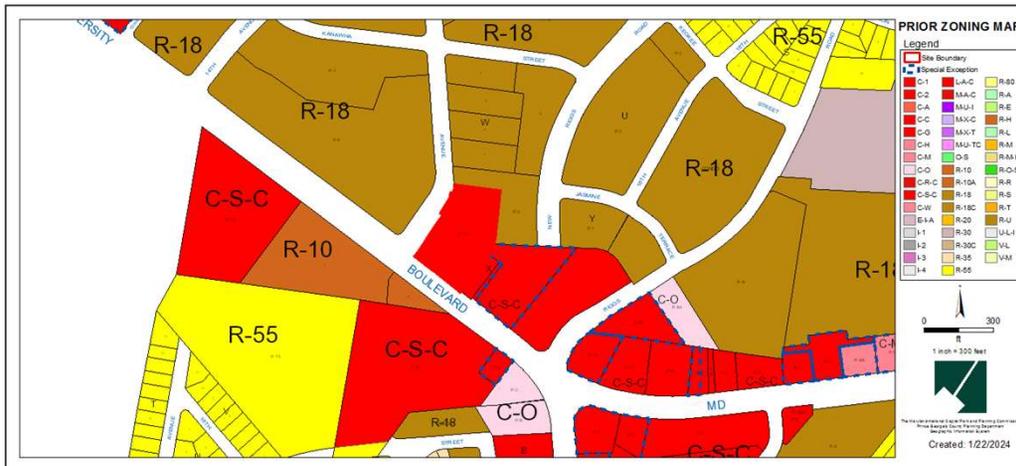
# SITE VICINITY MAP



# ZONING MAP (PRIOR AND CURRENT)

Prior Property Zone: C-S-C

Current Property Zone: LTO-C

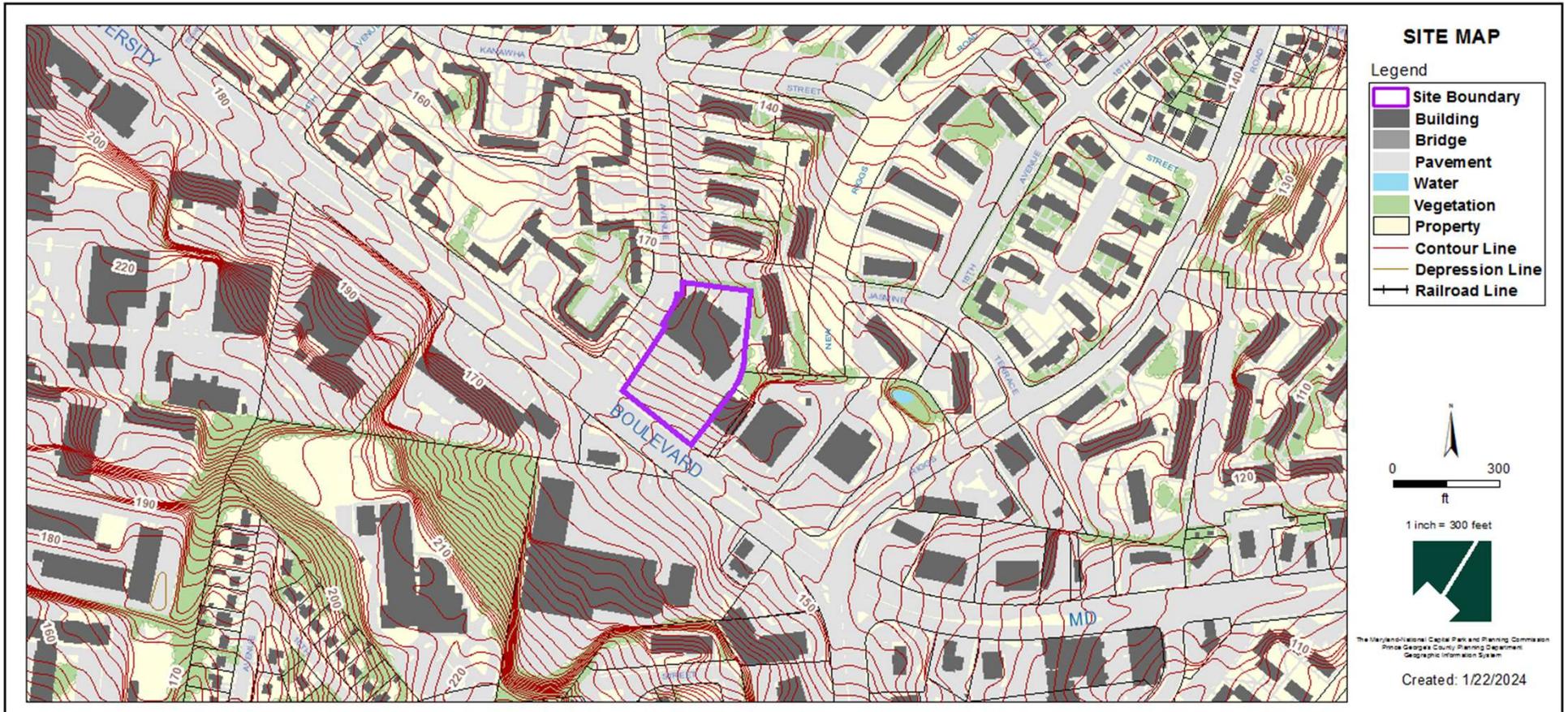




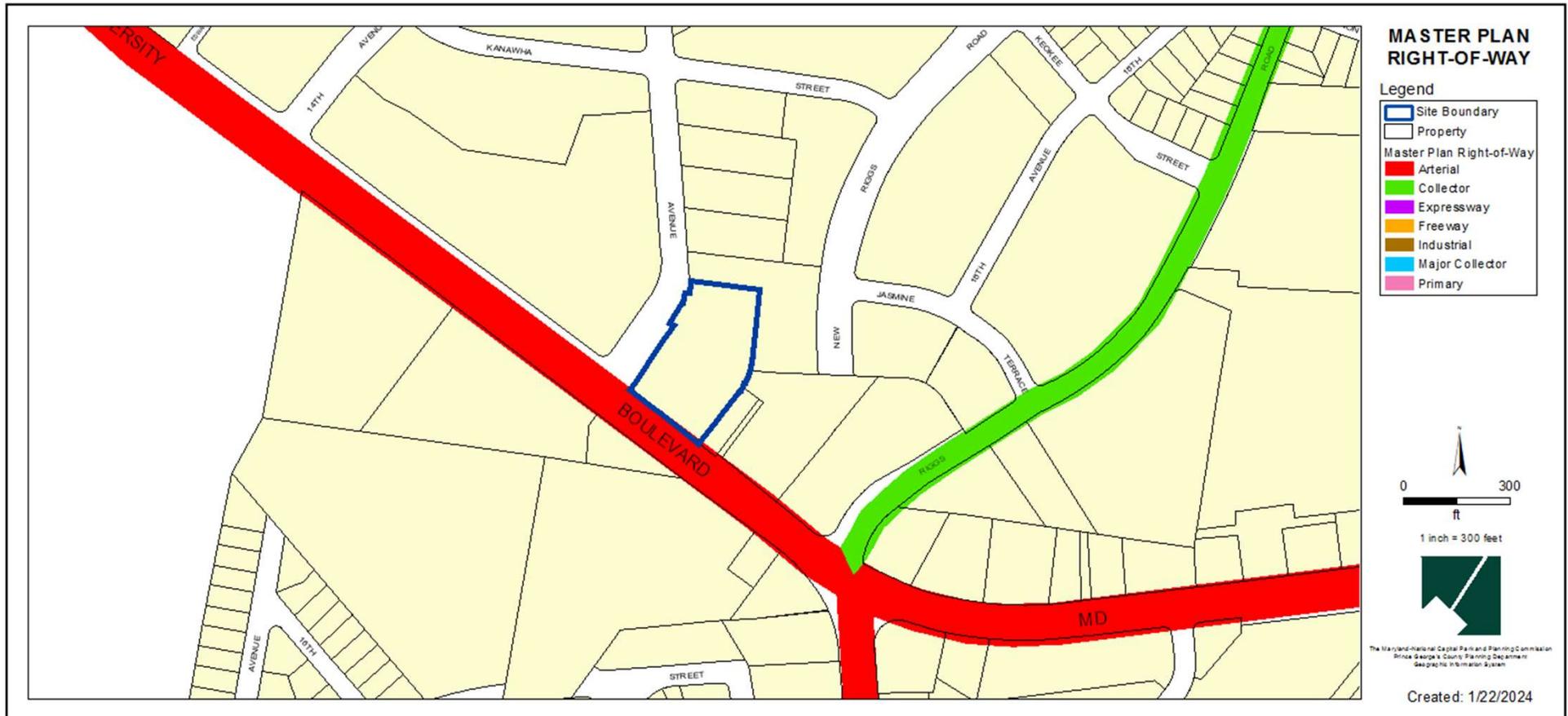
# AERIAL MAP



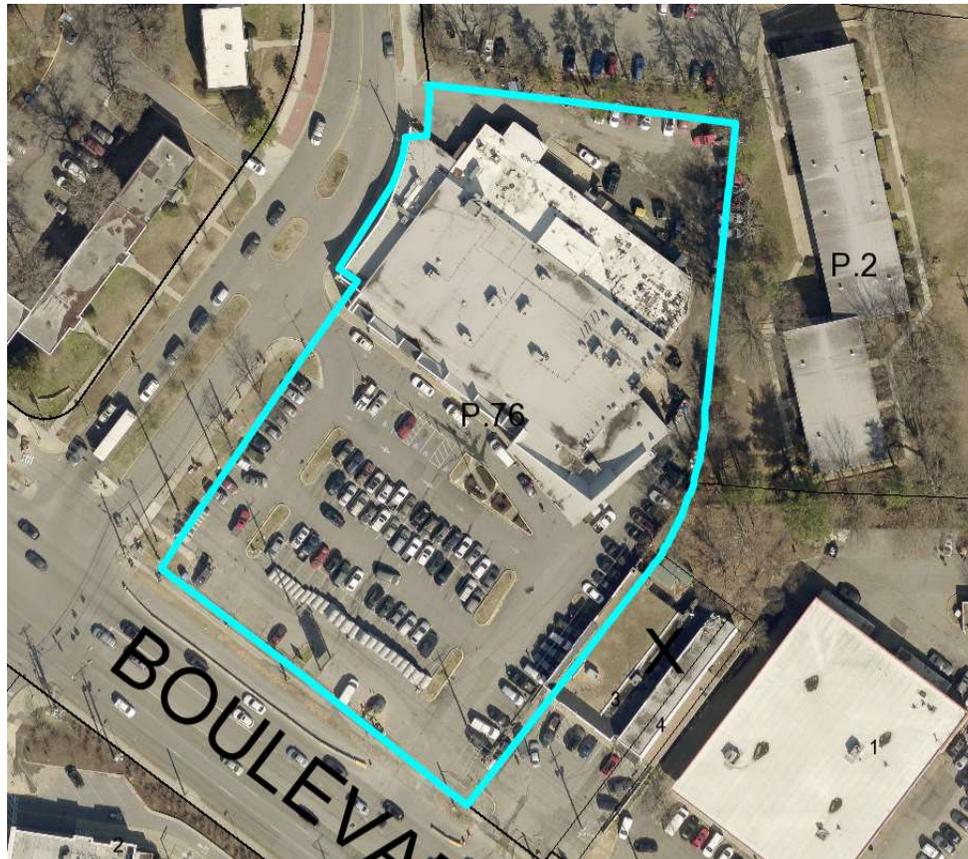
# SITE MAP



# MASTER PLAN RIGHT-OF-WAY MAP



## BIRD'S-EYE VIEW WITH APPROXIMATE SITE BOUNDARY OUTLINED







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# STAFF RECOMMENDATION

**Departure from Design Standards DDS-22005**

**Departure from Parking and Loading Spaces DPLS-22007**

- **APPROVAL** with conditions

**Major Issues:**

- None

**Applicant Required Mailings:**

- Informational Mailing 7/7/2023
- Acceptance Mailing 11/28/2023

**STATEMENT OF JUSTIFICATION  
DEPARTURE FROM DESIGN STANDARDS  
DDS-22005  
UNIVERSITY PLACE SHOPPING CENTER  
August 15, 2023  
Revised November 30, 2023  
Revised January 24, 2024**

**APPLICANT**

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## **1.0 INTRODUCTION/OVERVIEW**

The applicant for this Departure from Design Standards is University Place Center, LLC ("Applicant"). The Applicant is also the majority owner of the property which is the subject of this application, known as the University Place Shopping Center. A companion Departure from the Number of Parking and Loading Standards, referenced as DPLS-22007 has also been filed and will be processed concurrently with this application.

The property which is the subject of this application is located at 1500 University Boulevard, Hyattsville, Maryland 20783. The property may be more particularly described as Parcel 76 on Tax Map 32, Grid C-3 (the "Subject Property"). As will be described in greater detail below, the purpose of these companion applications is to permit the Applicant to reconfigure an existing parking lot serving the shopping center as the result of a taking of land by the Maryland Department of Transportation ("MDOT") to construct the Purple Line along University Boulevard. This taking reduced the size of the parking lot such that the property no longer has the minimum number of parking spaces required. If approved, these applications will allow the Applicant to modify the parking lot and increase the number of parking spaces which currently exist. Doing so will allow the Applicant to provide enough spaces to meet the needs of the

existing and future tenants and to create a layout that provides safe and adequate circulation.

## **2.0 SUBJECT PROPERTY**

The Subject Property is in the northeast corner of the intersection of University Boulevard and 15th Avenue. The Subject Property is currently zoned LTO-c but was zoned C-S-C under the prior Zoning Ordinance. The Subject Property is improved with a shopping center containing a total of 29,090 square feet, originally constructed in or about 1959. The Subject Property is fully leased to five tenants—two eating and drinking establishments, a pawnshop, a laundromat/hair salon and a dialysis center. Parking is provided based upon the requirements for an integrated shopping center, with the exception of the dialysis center. The dialysis center is parked as a medical clinic because it exceeds 20% of the gross leasable area of the shopping center. The required parking is 124 parking spaces. Prior to the taking by MDOT, the shopping center had a total of 125 parking spaces.

## **3.0 JUSTIFICATION FOR FILING APPLICATION PURSUANT TO OLD ZONING ORDINANCE**

The Zoning Ordinance which went into effect on April 1, 2022 permits applications to be filed pursuant to the provisions of the prior Zoning Ordinance. The Applicant submits this application pursuant to the provisions of the prior Zoning

Ordinance. Section 27-1904(b) requires that a Justification Statement be included with any application filed under the provisions of the prior Zoning Ordinance. The attorney for the Applicant explored the feasibility of addressing the parking issue under the current Zoning Ordinance since in the LTO-c Zone, no minimum parking is required and a DPLS would not have been necessary. However, transitioning to the new Zoning Ordinance would have triggered use issues and any future modification to the building would have triggered requirements that the site cannot meet. After extensive discussion with Deputy Director Derick Berlage, it was agreed that proceeding under the provisions of the prior Zoning Ordinance was the best course of action in this instance.

#### **4.0 DEVELOPMENT HISTORY OF PROPERTY**

As noted above, the existing shopping center was constructed in or around 1959. In December 1986, the property was conveyed to N'Eyesh Properties. This entity ultimately became University Place Center, LLC, the Applicant. Thus, the Applicant has owned the property for over 36 years. Despite its age, the property has been well maintained and 100% occupied. It is located in a highly populated area and many of the customers of the center arrive on foot. After the Subject Property was developed, changes in development regulations which occurred over the years caused the existing improvements to no longer comply with all the

requirements of the Zoning Ordinance. As a result, the Applicant sought and obtained variances to bring the existing improvements in conformance with current requirements.

**NOTE:** The following variances were heard and approved by the Board of Zoning Appeals on 9-14-1988, 3-22-1989 and 4-5-1989. (BZA Case No. 9498.)

<u>Section of Ordinance</u>	<u>Requirement Summarized</u>	<u>Extent of Variance</u>
27.450(a)(1)	10' landscape strip	10'
27.450(a)(2)	½ of yards landscaped and screening	full
27.462(b)	building setbacks: 10' from street; 25' rear; 12' side	full
27.462(b)	street deemed to be 70' wide	existing r.o.w. to suffice

In addition to the variances listed above, an addition was constructed onto the shopping center prior to 1965 that encroached into the right of way for 15<sup>th</sup> Avenue. To validate this encroachment, the Applicant filed Vacation Petition No. V-91075 to vacate a portion of the right of way to allow this addition to remain. That Petition to Vacate the right of way of 15<sup>th</sup> Avenue was approved by the Prince George's County Planning Board pursuant to Prince George's County Planning Board Resolution No. 91-431.

It is also noted that the existing improvements were constructed prior to the adoption of the Landscape Manual. As a result, the site plan contains a chart entitled "Landscape Development Statistics" which conforms to the requirements which pre-date the Landscape Manual. Specifically, the parking lot provided 5% interior green area under prior approvals. Prior to the SHA taking the parking lot contained a total of 46,170 square feet, requiring 2,309 square feet of interior green area. A total of 2,709 square feet was provided. After the taking by the State Highway Administration, the area of the parking lot is now reduced to 38,430 square feet, reducing the required green area to 1,947 square feet. In order to improve the efficiency of the parking lot, some of the landscape islands are being relocated, but the total interior green area provided is 2,258 square feet, which exceeds the minimum 5% previously required and provided.

During SDRC review, a question was raised as to the percentage of interior green area required. Pursuant to Section 4.3.1 of the Landscape Manual, parking lots with an area between 7,000-49,999 sq. ft. are required to provide 8% of interior planting area. However, Section 1.1 of the Landscape Manual addresses applicability. Section 1.1(b) provides that "existing conditions on developed sites not in conformance with the requirements of this manual that were otherwise lawful on December 13, 2010, and not the subject of any building or grading

permit may continue as a matter of right." In this case, the Applicant is not doing anything that will trigger a building permit. While landscaping islands are provided to ensure that the interior landscaping satisfies the 5% of interior green area that previously existed after the Purple Line taking, the limit of disturbance has been kept below 5,000 square feet. As a result, pursuant to Section 32-127(a)(6)(A) of the Grading Code, no grading permit is required.

In addition to Section 1.1, there are other provisions which exempt existing parking lots from the application of section 4.3.

- Section 1.1(d) provides that building permits which do not involve an increase in impervious surface and do not involve an increase of GFA are exempt from Section 4.3. As noted, the Applicant will not need a building permit to implement the proposed revisions and thus there is no increase in impervious area.
- Section 1.1(g)(1) provides that "Permits for any building renovation, expansion or change of use that does not necessitate an increase in the number of parking or loading spaces beyond the number currently existing" are exempt from Section 4.3. The Applicant proposes no changes that necessitate an increase in the number of parking spaces. In fact, the companion Departure from Parking and Loading Standards is submitted to allow the project to operate with

fewer parking spaces than existed previously. Section 1.1(g)(1) further states that site renovations that result in the creation of additional impervious area do require the entire parking facility associated with the property to be subject to Section 4.3, but new impervious area is not being created by this proposal.

- Section 1.1g)(4) provides that "restriping of an existing parking compound whether or not it results in an increase in the number of parking spaces when no new impervious area is created" is also exempt from Section 4.3. The taking by the Purple Line makes the existing configuration of the parking lot unworkable. The proposed restriping will recoup as many spaces as possible by reconfiguring drive aisles to be more efficient. As noted above, while any green area lost by the taking is being restored to the 5% that existed previously, this does not result in an increase in impervious area.

Based on the above, the Applicant submits that the proposed modifications are exempt from the Landscape Manual.

## **5.0 DEVELOPMENT PROPOSAL**

As noted above, the Subject Property has been impacted by the construction of the Purple Line, which extends along the north side of University Boulevard. In fact, the State Highway Administration has now acquired 10,335 square feet of the Subject Property, roughly taking 40 feet of land measured from the prior

right-of-way line. The taking of this land removes over 40 parking spaces, which will reduce the parking below what the Applicant believes is necessary to support the existing and future tenants. Thus, the Applicant is seeking to restripe the parking lot reconfigure the front parking field to recoup as many spaces as possible. To do this, two applications will be required. First, the Applicant is seeking to utilize 9' X 18' parking spaces rather than 9.5' X 19' parking spaces to provide a few more spaces and provide more room for driveway aisles. Second, the Applicant will only be able to provide a total of 107 parking spaces following the reconfiguration, which is still less than the minimum required. Thus, a Departure from the Number of Parking and Loading Spaces of 17 spaces will be required.

SHA has recently begun mobilizing for construction and the impact of this activity on the availability of parking accentuates the need for the Applicant needs to obtain approval of a new site plan and to be in a position to obtain a new use and occupancy permit if a tenant leaves.

#### **SUMMARY OF REQUIRED DEPARTURE**

The regulations governing the design of off-street parking and loading spaces are set forth in Part 11 of the Prince George's County Zoning Ordinance. Section 27-558(a) governs the size of parking spaces. This Section provides that nonparallel standard car spaces shall measure 19' x 9½' and permits up to

one-third of the required spaces to be compact car spaces measuring 8' x 16½'. By reconfiguring the remaining parking lot, the applicant is providing 107 parking spaces, with 77 spaces measuring 18' x 9', 25 compact space and 5 handicapped spaces.

It is noted that under the provisions of the current Zoning Ordinance, the standard size of a parking space is now 9' X'18'. Since this application is filed pursuant to the provisions of the former Zoning Ordinance, where the standard parking space size is 9.5' X 19 feet, this departure is required. The Applicant submits that there is ample justification for modifying the size of the parking spaces provided on site.

Maximizing the number of parking spaces within the remaining paved area is critical to satisfying the parking needs of the shopping center. The parking space size of 9' X 18' has been adopted by many local jurisdictions, including Montgomery and Prince George's County. The modest reduction in the depth and width of the spaces from the standard in the former Zoning Ordinance allows for adequate aisle widths to be provided and allows for a few additional parking spaces over that which could be achieved without the departure.

### **CRITERIA FOR APPROVAL**

The criteria for approval of a Departure from Design Standards are set forth in Section 27-239.01(b)(7)(A). For the

Planning Board to grant a departure, it shall make the following findings:

**(1) The purposes of this Subtitle will be equally well or better served by the applicant's proposal;**

The purposes of Part 11 of the Zoning Ordinance addressing Parking and Loading are found in Section 27-550. For parking, the primary purpose is to ensure that all buildings and uses provide off street parking which is "...sufficient to serve the parking and loading needs of all persons associated with the buildings and uses." The applicant submits that the purposes of the parking and loading regulations will be equally well or better served by the proposed site plan.

The applicant is proposing that all parking spaces, except for compact spaces and the spaces provided for the physically handicapped, be 9' x 18'. Section 27-558(a) requires that standard nonparallel parking spaces measure 9½' x 19' while nonparallel compact car spaces must be 16½' x 8'. The difference between the required standard car space measurement and the 9' x 18' space the applicant is proposing is insignificant as they provide ample room for vehicles to park safely on site and are a common space size in the region. Reducing the parking space size is critical, however, to maximize the number of parking spaces on site and providing driveway aisle widths that meet the requirements of the Zoning Ordinance. This creates a more

efficient and functional parking layout and will serve the purposes of the subtitle equally well.

**(2) The departure is the minimum necessary, given the specific circumstances of the request;**

The departure from Section 27-558(a) sought by the applicant for its proposed 9' x 18' parking spaces is the minimum necessary given the specific circumstances of this request. As noted above, the reduction in the size of the parking lot requires the remaining parking area to be reconfigured. There is no other place on the Subject Property to add additional property and maximizing the available space can be accomplished by a small reduction in the parking space size. This will allow the reconfigured parking lot to operate efficiently without reducing the parking space size below that which is functional.

**(iii) The departure is necessary in order to alleviate circumstances which are unique to this site or prevalent in areas of the County developed prior to November 29, 1949;**

As discussed under the development history of the Subject Property, the existing buildings were constructed in 1959. However, the departure is necessary to alleviate circumstances unique to the site, as it is one of the properties impacted by takings needed to construct the Purple Line. The reduction in the area of the parking lot requires a reconfiguration and since that reconfiguration cannot reclaim all of the parking which

previously existed, the Applicant seeks to maximize the number of spaces while still creating a fully safe and functional parking lot. Allowing a modest reduction in the width and length of the standard size spaces to the standard contained in the new Zoning Ordinance is necessary to alleviating the impact of the Purple Line taking.

**(iv) The departure will not impair the visual, functional, or environmental quality or integrity of the site or of the surrounding neighborhood;**

The applicant submits that the requested departure will not impair the visual, functional, or environmental quality or integrity of the site or of the surrounding neighborhood. The Subject Property has operated for over 60 years with a parking field between the building and University Boulevard. The reconfiguration of the parking area is required as a result of the Purple Line taking. Maximizing the number of spaces which can be provided will not in any way impair the visual integrity of the site or the functional quality or integrity of the site. The restriping of the parking lot, relocation of a few landscape islands and replanting of trees and shrubs which have died over the years will, in fact, improve the visual and environmental quality and integrity of the site and the surrounding neighborhood.

The departure from Section 27-558(a) will allow the site to provide adequately sized spaces and driveway aisles to

accommodate all types of vehicles visiting the site.

**CONCLUSION**

Based on all the foregoing reasons, the applicant respectfully requests approval of the requested departure.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Thomas H. Haller', enclosed in a rectangular box.

---

Thomas H. Haller  
GIBBS AND HALLER  
1300 Caraway Court, Suite 102  
Largo, Maryland 20774  
(301) 306-0033

*S:\University Place/ DDS Justification Statement.wpd*

**STATEMENT OF JUSTIFICATION  
DEPARTURE FROM DESIGN STANDARDS  
DPLS-22007  
UNIVERSITY PLACE SHOPPING CENTER  
AUGUST 15, 2023  
REVISED JANUARY 24, 2024**

**APPLICANT**

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RB-UP LLC  
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(301) 873-4002

**ATTORNEY**

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## **1.0 INTRODUCTION/OVERVIEW**

The applicant for this Departure from Design Standards is University Place Center, LLC ("Applicant"). The Applicant is also the majority owner of the property which is the subject of this application, known as the University Place Shopping Center. A companion Departure from Design Standards, referenced as DDS-22005, has also been filed and will be processed concurrently with this application.

The property which is the subject of this application is located at 1500 University Boulevard, Hyattsville, Maryland 20783. The property may be more particularly described as Parcel 76 on Tax Map 32, Grid C-3 (the "Subject Property"). As will be described in greater detail below, the purpose of these companion applications is to permit the Applicant to reconfigure an existing parking lot serving the shopping center as the result of a taking of land by the Maryland Department of Transportation ("MDOT") to construct the Purple Line along University Boulevard. This taking reduced the size of the parking lot such that the property no longer has the minimum number of parking spaces required. If approved, these applications will allow the Applicant to modify the parking lot and maximize the number of spaces within the remaining parking lot. Doing so will allow the Applicant to provide enough spaces to meet the needs of the

existing and future tenants and to create a layout that provides safe and adequate circulation.

## **2.0 SUBJECT PROPERTY**

The Subject Property is in the northeast corner of the intersection of University Boulevard and 15th Avenue. The Subject Property is currently zoned LTO-c but was zoned C-S-C under the prior Zoning Ordinance. The Subject Property is improved with a shopping center containing a total of 29,090 square feet, originally constructed in or about 1959. The Subject Property is fully leased to five tenants—two eating and drinking establishments, a pawnshop, a laundromat/hair salon and a dialysis center. Parking is provided based upon the requirements for an integrated shopping center, with the exception of the dialysis center. The dialysis center is parked as a medical clinic because it exceeds 20% of the gross leasable area of the shopping center. The required parking is 124 parking spaces. Prior to the taking by MDOT, the shopping center had a total of 125 parking spaces.

## **3.0 JUSTIFICATION FOR FILING APPLICATION PURSUANT TO OLD ZONING ORDINANCE**

The Zoning Ordinance which went into effect on April 1, 2022 permits applications to be filed pursuant to the provisions of the prior Zoning Ordinance. The Applicant submits this application pursuant to the provisions of the prior Zoning

Ordinance. Section 27-1904(b) requires that a Justification Statement be included with any application filed under the provisions of the prior Zoning Ordinance. The attorney for the Applicant explored the feasibility of addressing the parking issue under the current Zoning Ordinance since in the LTO-c Zone, no minimum parking is required and a DPLS would not have been necessary. However, transitioning to the new Zoning Ordinance would have triggered use issues and any future modification to the building would have triggered requirements that the site cannot meet. After extensive discussion with Deputy Director Derick Berlage, it was agreed that proceeding under the provisions of the prior Zoning Ordinance was the best course of action in this instance.

#### **4.0 DEVELOPMENT HISTORY OF PROPERTY**

As noted above, the existing shopping center was constructed in or around 1959. In December 1986, the property was conveyed to N'Eyesh Properties. This entity ultimately became University Place Center, LLC, the Applicant. Thus, the Applicant has owned the property for over 36 years and is intimately familiar with the operation of the center, the needs of the existing tenants and the number of parking spaces which will be needed to serve the needs of the tenants. Despite its age, the property has been well maintained and 100% occupied. It is located in a highly populated area and many of the customers of the center arrive by

foot. After the Subject Property was developed, changes in development regulations which occurred over the years caused the existing improvements to no longer comply with all of the requirements of the Zoning Ordinance. As a result, the Applicant sought and obtained variances to bring the existing improvements in conformance with current requirements.

**NOTE:** The following variances were heard and approved by the Board of Zoning Appeals on 9-14-1988, 3-22-1989 and 4-5-1989. (BZA Case No. 9498.)

<u>Section of Ordinance</u>	<u>Requirement Summarized</u>	<u>Extent of Variance</u>
27.450(a)(1)	10' Landscape strip	10'
27.450(a)(2)	½ of yards landscaped and screening	full
27.462(b)	building setbacks: 10' from street; 25' rear; 12' side	full
27.462(b)	street deemed to be 70' wide	existing r.o.w. to suffice

In addition to the variances listed above, an addition was constructed onto the shopping center prior to 1965 that encroached into the right of way for 15<sup>th</sup> Avenue. In order to validate this encroachment, the Applicant filed Vacation Petition No. V-91075 to vacate a portion of the right of way to allow this addition to remain. That Petition to Vacate the right of way of 15<sup>th</sup> Avenue was approved by the Prince George's County Planning

Board pursuant to Prince George's County Planning Board  
Resolution No. 91-431.

## **5.0 DEVELOPMENT PROPOSAL**

As noted above, the Subject Property has been impacted by the construction of the Purple Line, which extends along the north side of University Boulevard. In fact, the State Highway Administration has now acquired 10,335 square feet of the Subject Property, roughly taking 40 feet of land measured from the prior right-of-way line. The taking of this land removes over 40 parking spaces, which will reduce the parking below what the Applicant believes is necessary to support the existing and future tenants. As can be see from the photo below, the Purple Line construction has forced vehicles to park in the remaining spaces on site, which are not efficiently laid out:



Thus, the Applicant is seeking to reconfigure the front parking field to recoup as many spaces as possible. To do this, two applications will be required. First, the Applicant is seeking to utilize 9' X 18' parking spaces rather than 9.5' X 19' parking spaces to provide a few more spaces and provide more room for driveway aisles. This is the subject of the companion Departure from Design Standards. Second, the Applicant will only be able to provide a total of 107 parking spaces following the reconfiguration, which is still less than the minimum required—although it is 22 more spaces than remain after the taking. Thus, this Departure from the Number of Parking and Loading Spaces is also required to reduce the number of spaces required from 124 to 107 (a reduction of 17 spaces). SHA has recently begun mobilizing for construction and the impact of this activity on the availability of parking accentuates the need for the Applicant needs to obtain approval of a new site plan and to be able to obtain a new use and occupancy permit if a tenant leaves.

During the SDRC meeting, Transportation Staff inquired how the access point on University Boulevard will interact with the Purple Line. The University Place Shopping Center is just east of the proposed Riggs Road Station. The University Boulevard Stations will be center median stations. The right of way acquired by the stat provided sufficient room to locate the station in the center median but will push the reconstructed

roadway into the former boundary of the Subject Property. The image below shows how the existing roadway is being shifted further north to make way for the Purple Line:



The image above shows the proposed Riggs Road Station in the median of the widened roadway. Thus, access to the property by vehicles is maintained along University Boulevard, albeit shifted to the north to make room for the tracks in the median of the roadway.

## **6.0 SUMMARY OF REQUIRED DEPARTURE**

The regulations governing the design of off-street parking and loading spaces are set forth in Part 11 of the Prince George's County Zoning Ordinance. The minimum number of parking spaces required is set forth in Section 27-568 of the Zoning Ordinance. As noted above, the Subject Property is improved with an integrated shopping center containing a total of 29,090 square feet, originally constructed in or about 1959. The Subject Property is fully leased to five tenants—two eating and drinking establishments, a pawnshop, a laundromat/hair salon and a dialysis center. While integrated shopping centers with more than 25,000 feet are typically parked at a ratio of one parking space per 25,000 square feet, that ratio does not apply to medical practitioner's offices (medical clinics) when the square footage devoted to such uses exceeds 20% of the total shopping center. In this case, the dialysis center contains a total of 6,986 square feet, or 24% of the total shopping center. This requires the number of spaces devoted to the medical offices to be calculated at 1 space per 200 square feet. Under this

calculation, 35 parking spaces are required for the dialysis center and 89 parking spaces are required for retail uses, for a total of 124 parking spaces.

While 125 parking spaces existing prior to the Purple Line taking, the area required for the Purple Line contained all or part of 40 spaces. Not only did this reduce the number of spaces on site to approximately 85 spaces, all the remaining spaces are not accessible, requiring a reconfiguration of the parking lot. If reconfigured as proposed (and assuming approval of the companion DDS), the Applicant will be able to have a total of 107 parking spaces, 17 less (or 14% fewer) than required. The reconfiguration will, however, add 22 more than remain after the taking.

## **7.0 CRITERIA FOR APPROVAL**

Departures from the off-street parking requirements may be granted by the Planning Board in accordance with the provisions of Section 27-588 of the Prince George's County Zoning Ordinance. Section 27-588(b)(8) sets forth the required findings which the Planning Board must make in order to grant a requested departure from the off-street parking requirements. Those findings are as follows:

- (1) That the purposes of this Part will be served by the applicant's request;**

The purposes of the parking requirements are set forth in Section 27-550. Those purposes generally are to ensure that any

use provides sufficient off-street parking to service said use and to lessen traffic congestion on the streets by reducing the use of the streets for parking. The applicant submits that its proposal in this case satisfies the purposes for requiring off-street parking.

As set forth above, the Subject Property is improved with an integrated shopping center exceeding 25,000 square feet. If no medical use occupied the shopping center, a total of 117 parking spaces would be provided. However, the dialysis center increases the number of required spaces to 124. A total of 107 spaces will exist after reconfiguring the parking lot. For the reasons set forth below, the Applicant submits that the number of spaces provided is adequate to serve the needs of the shopping center.

First, as noted above, the Applicant has owned the shopping center for over 30 years and is intimately familiar with its operations. Due to its location in an urban area of the County, many of the customers patronizing the center arrive by foot or by bus, reducing the number of parking spaces required. A WMATA bus stop is located on University Boulevard directly across 15<sup>th</sup> Avenue from the Subject Property. In addition, the reduction in the number of spaces resulting from the construction of the Purple Line is offset by the fact that light rail transit is being constructed, with the proposed station less than 300 feet from the Subject Property. The proximity of mass transit, the

availability of bus service and the urban nature of the area reduce the reliance on automobiles to access the center. The proximity of the proposed Riggs Road Station Platform to the Subject Property can be seen on the image below:



The above image also shows that the station will be in the median of the road, maintaining access to the side from University Boulevard.

The reduced need for parking spaces is further evidenced by the fact that under the new Zoning Ordinance, parking regulations were revised to reflect the reduced need for minimum parking requirements in transit-oriented areas and inside the Capital Beltway. As referenced above, in the LTO-c Zone, there is no minimum parking requirement. Further, in any other zone inside the Capital Beltway, for a shopping center of this size, the

minimum parking requirement is one space per 300 square feet of retail and one space per 400 square feet of office. Utilizing these ratios, the total number of required parking spaces would be 92 spaces. While these regulations are not applicable to the Subject Property, they demonstrate that 107 parking spaces which will result from the reconfiguration of the parking lot are sufficient to meet the needs of an integrated shopping center in close proximity to mass transit located inside the Capital Beltway.

The Applicant would also note, as discussed in greater detail below, that an October 2021 parking study conducted by the Maryland-National Capital Park and Planning Commission for the Takoma/Langley Crossroads area found that there was not a shortfall of available parking for the commercial areas within the boundaries of the study, which included the Subject Property. Concerns were raised by some commercial properties, however, about the loss of parking caused by the Purple Line and the need to reconfigure parking lots, as is proposed in this application.

Based on all of the above, the applicant submits that it is clear that the requested departure would, if granted, satisfy the purposes of the parking regulations set forth in Section 27-550 and would in no way impair any of the purposes of the Zoning Ordinance generally.

**(2) The departure is the minimum necessary,**

**given the specific circumstances of the request;**

The request which the applicant is making is the minimum necessary. The taking of land by the Purple Line reduces the size of the existing parking lot and impacts the ability to access the remaining parking spaces. Thus, the parking lot needs to be reconfigured. With the reduction in the size of a standard size parking space to 9' X 18' requested in the DDS, the Applicant is able to provide a total of 107 parking spaces. This is the maximum number that can reasonably be located on site. With 124 spaces required, the departure of 17 spaces is the minimum departure necessary, given the specific circumstance of the request.

**(3) The departure is necessary in order to alleviate certain circumstances which are special to the subject use, given its nature at this location, or alleviate circumstances which are prevalent in order areas of the County which were predominantly developed prior to November 29, 1949;**

As discussed under the development history of the Subject Property, the existing buildings were constructed in 1959. However, the departure is necessary to alleviate circumstances unique to the site, as it is one of the properties impacted by takings needed to construct the Purple Line. The reduction in the area of the parking lot reduces the number of parking spaces below the minimum requirements. However, as set forth above, the number of spaces which can be achieved by reconfiguring the

remaining parking field will reasonably satisfy the parking requirements for a shopping center of this size located near mass transit and inside the Capital Beltway. Notwithstanding, the departure is necessary to alleviate the impact of the Purple Line taking.

**(4) All methods for calculating the number of spaces required (Division 2, Subdivision 3, and Division 3, Subdivision 3, of this Part) have either been used or found to be impractical;**

The calculation of the number of parking spaces required has been utilized for many years. There are no other means of calculating the number of spaces required which reduce would eliminate the need for this Departure. The applicant has no other option than to request a departure from the number of parking spaces.

**(5) Parking and loading needs of adjacent residential areas will not be infringed upon, if the departure is granted.**

The applicant submits that the parking and loading needs of residential areas will not be infringed upon if this request is granted. As discussed in detail above, the parking which will exist upon the reconfiguration of the parking lot will be sufficient to meet the needs of the existing tenants and therefore will prevent any impact on adjacent residential areas.

Section 27-588 also requires the Planning Board to give consideration to certain other matters. These are as follows:

**(1) The parking and loading conditions within the general vicinity of the subject property, including number and locations of available on and off-street spaces within five hundred (500) feet of the subject property;**

There is no shortage of parking and loading spaces within the general vicinity of this property to the best of the applicant's knowledge. Upon completion of the Purple Line, reliance on automobile trips will be reduced as mass transit will be available. The reconfiguration of the remaining parking lot will ensure enough spaces exist to serve the existing shopping center.

**(2) The recommendations of an area Master plan or County/Local Revitalization Plan, regarding the subject property and its general vicinity;**

The Subject Property is located within the boundaries of the 2009 Approved Takoma/Langley Crossroads Sector Plan. Plan Prince George's 2035 further places the Subject Property within the Takoma Langley Crossroads Local Transit Center. The Subject Property is also located within the boundaries of the Takoma/Langley Crossroads Parking Study dated October 2021. The Sector Plan recognizes the C-S-C zoning that was in place at the time the Sector Plan was adopted and the existing commercial land use. The Sector Plan did not include a Sectional Map Amendment, thus retaining that zoning that predated the Sector Plan. The Sector Plan did note the future construction of the Purple Line

and the long-term vision is for the Subject Property and the surrounding area to be redeveloped with a dense, transit-oriented mix of uses once the Purple Line is completed. With the retention of the C-S-C Zone, the continued use of the property providing commercial services to the local community is consistent with the underlying zoning and the recommendations of the applicable Plans.

It is also noted that in 2021, a Parking Study was completed for the Takoma/Langley Crossroads area, which includes the Subject Property. The study evaluated the supply and demand of parking for both residential and commercial uses. For commercial uses, the study found that the commercial land uses have most of the underutilized off-street parking supply in the study area. The study notes that the oversupply of parking in these areas could eventually be addressed by future redevelopment, which could eliminate the oversupply. Thus, the parking study conclusion that ample parking exists to serve the existing commercial uses is supportive of the requested DPLS.

**(3) The recommendations of a municipality within which the property lies regarding the departure;**

This property does not lie within the limits of any municipality.

**(4) Public parking facilities which are proposed within the general vicinity of the property.**

To the applicant's knowledge, there are no public parking facilities proposed within the general vicinity of the subject property. As noted above, however, the Takoma/Langley Crossroads Parking Study was completed in October 2021 and included an evaluation of parking supply and demand for the 15 commercial zones designated in the study. The five commercial zones with the largest parking lots were identified, and one was the University Place retail assemblage. The study also included telephone based interviews of area businesses to understand perceptions regarding the sufficiency of parking supply. The results of the study were that the commercial area parking supply is sufficient to meet the parking demand under current conditions, although the study did note that concerns were raised regarding the construction of the Purple Line, the elimination of a number of parking spaces, and the need to reconfigure parking lots. This application is needed to address this very concern as it relates to the Subject Property.

Given all of the above considerations, the applicant respectfully submits that all of the required Findings set forth in Section 27-588 are met and satisfied with this application. Most importantly, the applicant submits the purposes for requiring off-street parking spaces are also satisfied. With the reconfiguration of the parking lot, 107 parking spaces will be

sufficient to serve the needs of the Subject Property. This is true today and will continue to be the case once the Purple Line construction is completed and the transit station opens near the shopping center. Therefore, the applicant requests that its departure from the required number of off-street parking spaces be granted.

**CONCLUSION**

Based on all the foregoing reasons, the applicant respectfully requests approval of the requested departure.

Respectfully submitted,



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Thomas H. Haller  
GIBBS AND HALLER  
1300 Caraway Court, Suite 102  
Largo, Maryland 20774  
(301) 306-0033

*S:\University Place/ DPLS Justification Statement.wpd*



Prince George's County Planning Department  
Countywide Planning Division

301-952-3650

January 22, 2024

**MEMORANDUM**

**TO:** Todd Price, Planner III, Zoning Review Section, DRD  
**VIA:** Tom Burke, Supervisor, Environmental Planning Section, CWPD *TB*  
**FROM:** Marc Juba, Planner III, Environmental Planning Section, CWPD *MJ*  
**SUBJECT:** **University Plan Shopping Center, DDS-22005, DPLS-22007**

The Environmental Planning Section (EPS) has reviewed the Departure from Design Standards (DDS-22005) and associated Departure from Landscape Standards (DPLS-22007) to allow for a parking reconfiguration due to acquisition of property by the State Highway Administration to construct a portion of the Purple Line of the Metro rail system. This referral was received by the Countywide Planning Division on January 3, 2023. The EPS recommends approval of the DDS and DPLS, with no conditions.

**Environmental Review**

The site does not have a valid natural resource inventory (NRI) or tree conservation plan (TCP). According to PGAtlas, no regulated environmental features or County regulated 100-year floodplain are mapped within this site. The site is entirely developed with a parking lot, existing building, and associated circulation. These application types do not require an NRI or TCP. However, if a grading permit is required, a Standard Letter of Exemption from the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO) and an NRI equivalency will be required at time of permit.



January 29, 2024

**MEMORANDUM**

**TO:** Todd Price, Planner II, Zoning Section  
**VIA:** Mridula Gupta, Planner IV, Subdivision Section *MG*  
**FROM:** Mahsa Vatandoost, Planner II, Subdivision Section *MV*  
**SUBJECT:** DDS-22005 & DPLS-22007; University Place Shopping Center

These companion applications; departure from design standard (DDS-22005) and departure from the number of parking and loading standards (DPLS-22007) have been filed on a property which is located on Tax Map 32 in Grid C-3. The subject property consists of a 2.05-acre acreage parcel known as Parcel 76 which is recorded in the Prince George's County Land Records by deed in Book 38900 page 195. The property is located within the Local Transit-Oriented- Core (LTO-C) Zone. However, this application is being reviewed pursuant to the prior Zoning Ordinance and Subdivision Regulations. Therefore, the property is reviewed pursuant to the prior Commercial Shopping Center (C-S-C) zoning of the property, and prior Subdivision Regulations. This application was accepted for review on January 3, 2024, and comments were provided at the SDRC meeting on January 19, 2024. This referral is based on revised plans received on January 25, 2024.

The subject property is currently improved with a 29,090-square-foot integrated shopping center, originally constructed in or about 1959. The purpose of these companion applications is to permit the applicant to reconfigure an existing parking lot serving the shopping center as the result of taking of 10,335 square feet of land by the Maryland Department of Transportation (MDOT) to construct the Purple Line along University Boulevard. This taking of land is recorded in Book 48670 page 56, and is exempt from the requirement of filing a preliminary plan and final plat of subdivision in accordance with Section 24-107(c)(5) of the prior Subdivision Regulations. This reconfiguration will reduce the size of the parking lot and as a result the property no longer meets the minimum number of parking spaces required. Subdivision staff have no comments on these DDS and DSLS requests.

There are no prior preliminary plans of subdivision (PPS) or final plats of subdivision approved for the subject property. There are no changes to the existing lotting pattern or no development is proposed within these applications. Since the shopping center was in existence prior to January 1, 1990, and Parcel 76 was created through subdivision by deed prior to January 1, 1982, this development is exempt from the requirement of filing a preliminary plan and a final plat of subdivision. Therefore; a new PPS is not required at this time.

**Additional Comments:**

1. Any future development on the subject property may require approval of a preliminary plan of subdivision and final plat, prior to approval of permits.
2. The bearings and distances of the new property boundary along University Boulevard should be shown on the site plan.

**Recommended Conditions:**

None.

The referral is provided for the purpose of determining conformance with any underlying subdivision approvals for the subject property and Subtitle 24. All bearings and distances must be clearly shown on the plans and must be consistent with the legal description of the property. There are no other subdivision issues at this time.

January 29, 2024

**MEMORANDUM**

TO: Todd Price, Zoning Review

FROM: Kelsey Shaffer, Permit Review Section, Development Review Division *KLS*

SUBJECT: Referral Comments for DDS-22005 + DPLS-22007 – University Place Shopping Center

1. The drive aisle widths of all entrances and exits shall be demonstrated on the site plan.
2. All loading spaces shall be dimensioned and demonstrated on the site plan.
3. The spot dimensions on the site plan for the handicap parking spaces indicate they are 19' in length, but the parking schedule states they are 18' in length. This shall be clarified.
4. The site plan shows parking lot islands that appear to be within proposed drive aisles. If these islands are to be removed, the site plan shall demonstrate them as "to be removed".
5. The site plan shows multiple signs that are going to be relocated, but it is unclear what these signs are and where they will be relocated to. This shall be clarified, and sign details/tables provided to show conformance with Part 12 of the Zoning Ordinance.



Angela D. Alsobrooks  
County Executive

THE PRINCE GEORGE'S COUNTY GOVERNMENT  
Department of Permitting, Inspections and Enforcement  
Site/Road Plan Review Division



**MEMORANDUM**

January 30, 2024

**TO:** Todd Price, Urban Design Section  
Development Review Division, M-NCPPC

**FROM:** Mary C. Giles, P.E., Associate Director *Mary Giles*  
Site/Road Plan Review Division, DPIE

**RE:** University Place Shopping Center  
DPLS-22007 and DDS-22005

**CR:** University Boulevard (MDSHA)  
**CR:** 15<sup>th</sup> Avenue (County)

This is in response to DPLS-22007 and DDS-22005 referrals. The Department of Permitting, Inspections and Enforcement (DPIE) offers the following:

- The property is located at the northeast corner of University Boulevard and 15th Avenue.
- The project proposes reconfiguring the front parking field due to the acquisition of property by the State Highway Administration to construct the Purple Line
- A Site Development Concept Plan should be submitted to DPIE.
- DPIE has no objection to DPLS-22007 and DDS-22005.

If you have any questions or require additional information, please contact Mr. Steve Snyder, P.E., the District Engineer for the area, at 301.883.5710.

cc: Steve Snyder, P.E., District Engineer, S/RPRD, DPIE  
University Place Center LLC, 15942 Shady Grove Road, Gaithersburg, MD 20877  
Gibbs and Haller, 1300 Caraway Court, Suite 102, Largo, MD 20774



January 31, 2024

**MEMORANDUM**

**TO:** Todd Price, Planner II, Zoning Section, Development Review Division

**VIA:** David A. Green, MBA, Planner IV, Long-Range Planning Section, Community Planning Division *DAG*

**FROM:** Elena Perry, Planner II, Master Plans and Studies Section, Community Planning Division *EP*

**SUBJECT:** DDS-22005 University Place Shopping Center

**DETERMINATIONS**

Pursuant to Part 27-239.01(b)(7) of the Prior Zoning Ordinance, Master Plan conformance is not required for this application.

**BACKGROUND**

**Application Type:** Departure from Design Standards

**Planning Area:** 65

**Community:** Langley Park & Vicinity

**Location:** 1500 University Boulevard, Hyattsville, MD 20783

**Size:** 2.05 acres

**Existing Uses:** Commercial – shopping center

**Future Land Use:** Mixed-use

**Proposal:** To reconfigure the existing shopping center front parking field due to acquisition of property by State Highway Administration to construct Purple Line. The applicant proposes to reconfigure the parking spaces using 9' X 18' size spaces instead of 9.5' X 18' size spaces.

**Existing Zoning:** LTO-C (Local Transit - Oriented – Core)

**Prior Zoning:** C-S-C (Commercial Shopping Center)

**GENERAL PLAN, MASTER PLAN, AND SMA**

**General Plan:** *2014 Plan Prince George's 2035 Approved General Plan* (Plan 2035) designates the property in the Takoma/Langley Crossroads Local Transit Center. Plan 2035 designates Local Centers “as focal points for development and civic activity based on their access to transit or major highways. The plan contains recommendations for directing medium-to medium-high residential development, along with limited commercial uses, to these locations, rather than scattering them throughout the Established Communities. These centers are envisioned as supporting walkability, especially in their cores and where transit service is available.” (pg. 19)

In addition, the applicant should consider the following Plan 2035 Transportation and Mobility Section Policy and Strategy for the subject property:

“Policy 8 Ensure that minimum and maximum parking requirements for transit-accessible areas are appropriate to advance the overall goals of Plan 2035.” (page 160)

“TM8.2 Support parking reduction strategies such as shared parking, transportation demand management strategies and programs, car and bike share programs, and new sidewalk and trail connections between transit facilities and residential and employment areas in the Regional Transit Districts, the Innovation Corridor, and Local Centers.”

**Sector Plan:** The *2009 Approved Takoma/Langley Crossroads Sector Plan* recommends mixed-use future land use on the subject property.

In addition, the applicant should consider the following Master Plan Land Use, Transportation System, and Urban Design Section Policies and Strategies for the subject property to advance the intent and purpose of the plan:

Policy 4: “Allow parallel, on-street parking and off-peak parking on main arterial roadways. Rows of parked cars can reduce the need for costly off-street parking spaces and act as a very effective buffer between pedestrians and moving traffic.” (page 31)

Strategies:

- “Access points to parking areas along these streets should be from side streets, not the main street. This eliminates numerous curb cuts and keeps the pedestrian realm more continuous and conflict free.”

Policy 6: “Utilize Crime Prevention Through Environmental Design (CPTED) principles to improve safety.” (page 32)

Strategies:

- “Discourage the planting of low, dense shrubbery in parks and other open spaces such as parking lots as they could hide potential assailants.”

Part of Transportation System subsection Policy 3 strategies says “Major Transit

Boulevard: University Boulevard should be constructed as a major transit boulevard. Amenities within the right-of way should include six travel lanes, three in each direction, wide continuous sidewalks, improved lighting, designated bicycle lanes, and pedestrian crosswalks delineated with special pavement or markings at all intersecting streets. The plan recommends the road cross section include a median wide enough to adequately accommodate an at-grade Purple Line light-rail transit and the needed pedestrian and station facilities.” (page 44)

**Aviation/MIOZ:** This application is not located within an Aviation Policy Area or the Military Installation Overlay Zone

**SMA/Zoning:** The 1990 Adopted Sectional Map Amendment for Planning Areas 65, 66, and 67 retained the subject property into the C-S-C (Commercial Shopping Center) zone.

On November 29, 2021, the District Council approved CR-136-2021, the Countywide Map Amendment (CMA) which reclassified the subject property from the C-S-C (Commercial Shopping Center) zone to the LTO-C (Local Transit - Oriented - Core) zone effective April 1, 2022.

cc: Long-Range Agenda Notebook  
Kierre McCune, Supervisor, Master Plans and Studies Section, Community Planning Division



January 31, 2024

## MEMORANDUM

**TO:** Todd Price, Planner II, Zoning Section, Development Review Division

**VIA:** David A. Green, MBA, Planner IV, Long Range Planning Section, Community Planning Division **DAG**

**FROM:** Elena Perry, Planner II, Master Plans and Studies Section, Community Planning Division **EP**

**SUBJECT: DPLS-22007 University Place Shopping Center**

## FINDINGS

Pursuant to Section 27-588(b)(7)(A) of the Prior Zoning Ordinance, Master Plan conformance is not required for this application.

Pursuant to Section 27-588(b)(7)(B) of the Prior Zoning Ordinance, the Planning Board shall consider recommendations of the 2009 *Approved Takoma/Langley Crossroads Sector Plan*, regarding the subject property and its general vicinity.

The sector plan makes no recommendations addressing parking/loading spaces.

## BACKGROUND

**Application Type:** Departure from the number of parking and loading spaces required

**Planning Area:** 65

**Community:** Langley Park & Vicinity

**Location:** 1500 University Boulevard, Hyattsville, MD 20783

**Size:** 2.05 acres

**Existing Uses:** Commercial – shopping center

**Future Land Use:** Mixed-use

**Proposal:** The applicant is requesting a waiver of 17 parking spaces for a total of 107 parking spaces. This use typically requires 35 parking spaces for the dialysis center and 89 parking spaces for retail use (one parking space for every 25,000 square feet of gross floor area) for a total of 124 parking spaces. The dialysis center (medical clinics) square footage exceeds 20% of

the total shopping center so the number of spaces devoted to the medical offices is calculated at 1 space per 200 square feet.

**Existing Zoning:** LTO-C (Local Transit - Oriented - Core)

**Prior Zoning:** C-S-C (Commercial Shopping Center)

### **GENERAL PLAN, MASTER PLAN, AND SMA**

**General Plan:** *2014 Plan Prince George's 2035 Approved General Plan* (Plan 2035) designates the property in the Takoma/Langley Crossroads Local Transit Center. Plan 2035 designates Local Centers "as focal points for development and civic activity based on their access to transit or major highways. The plan contains recommendations for directing medium-to medium-high residential development, along with limited commercial uses, to these locations, rather than scattering them throughout the Established Communities. These centers are envisioned as supporting walkability, especially in their cores and where transit service is available." (pg. 19)

In addition, the applicant should consider the following Plan 2035 Transportation and Mobility Section Policy and Strategy for the subject property:

"Policy 8 Ensure that minimum and maximum parking requirements for transit-accessible areas are appropriate to advance the overall goals of Plan 2035." (page 160)

"TM8.2 Support parking reduction strategies such as shared parking, transportation demand management strategies and programs, car and bike share programs, and new sidewalk and trail connections between transit facilities and residential and employment areas in the Regional Transit Districts, the Innovation Corridor, and Local Centers."

**Sector Plan:** The *2009 Approved Takoma/Langley Crossroads Sector Plan* recommends mixed-use future land use on the subject property.

In addition, the applicant should consider the following Master Plan Land Use, Transportation System, and Urban Design Section Policies and Strategies for the subject property to advance the intent and purpose of the plan:

Policy 4: "Allow parallel, on-street parking and off-peak parking on main arterial roadways. Rows of parked cars can reduce the need for costly off-street parking spaces and act as a very effective buffer between pedestrians and moving traffic." (page 31)

Strategies:

- "Access points to parking areas along these streets should be from side streets, not the main street. This eliminates numerous curb cuts and keeps the pedestrian realm more continuous and conflict free."

Policy 6: “Utilize Crime Prevention Through Environmental Design (CPTED) principles to improve safety.” (page 32)

Strategies:

- “Discourage the planting of low, dense shrubbery in parks and other open spaces such as parking lots as they could hide potential assailants.”

Part of Transportation System subsection Policy 3 strategies says “Major Transit Boulevard: University Boulevard should be constructed as a major transit boulevard. Amenities within the right-of way should include six travel lanes, three in each direction, wide continuous sidewalks, improved lighting, designated bicycle lanes, and pedestrian crosswalks delineated with special pavement or markings at all intersecting streets. The plan recommends the road cross section include a median wide enough to adequately accommodate an at-grade Purple Line light-rail transit and the needed pedestrian and station facilities.” (page 44)

**Aviation/MIOZ:** This application is not located within an Aviation Policy Area or the Military Installation Overlay Zone.

**SMA/Zoning:** The 1990 Adopted Sectional Map Amendment for Planning Areas 65, 66, and 67 retained the subject property into the C-S-C (Commercial Shopping Center) zone.

On November 29, 2021, the District Council approved CR-136-2021, the Countywide Map Amendment (CMA) which reclassified the subject property from the C-S-C (Commercial Shopping Center) zone to the LTO-C (Local Transit - Oriented - Core) zone effective April 1, 2022.

c: Long-range Agenda Notebook

Kierre McCune, Supervisor, Master Plans and Studies Section, Community Planning Division



Countywide Planning division  
Transportation Planning Section

1/29/2024

**MEMORANDUM**

TO: Todd Price, Zoning Review Section, Development Review Division

FROM: Leah Daniels, Transportation Planning Section, Countywide Planning Division  
*Leah Daniels*

VIA: Noelle Smith, AICP, Transportation Planning Section, Countywide Planning Division  
*NS*

**SUBJECT: DDS-22005 University Place Shopping Center & DPLS-22007**

**Proposal:**

The subject application seeks a Departure from Design Standards (DDS-22005) and Departure from Parking and Loading Standards (DPLS-22007) to reconfigure the surface parking of the University Place Shopping Center due to the construction of the Purple Line. The new construction requires 40-feet of right-of-way along the property frontage of University Boulevard, resulting in a loss of 40 parking spaces. DDS-22005 requests a departure from the standard parking space size required by section 27-558(a) of the Zoning Ordinance, and DPLS-22007 requests a variance from the amount of parking spaces required by section 27-568(a). The site requires 124 spaces dimensioned at 9-foot by 19.5-feet; however, the application proposes a total of 107 spaces, of which 77 are 9-foot by 18-feet and 30 16.5-foot by 8-foot compact spaces. The reconfiguration does not impact the 3 pre-existing loading areas.

**Prior Conditions of Approval**

There are no prior approvals applicable to this site.

**Master Plan Compliance**

**Master Plan Right of Way**

This site is subject to the 2009 *Approved Countywide Master Plan of Transportation* (MPOT) and the 2009 *Approved Takoma/Langley Crossroads Sector Plan*. The subject site has frontage along University Boulevard which is identified as an arterial roadway with an ultimate right-of-way of 200 feet. The site also has frontage along 15<sup>th</sup> Avenue which has no right-of-way designation.

**Comment:** The subject application does not propose any structures within the existing right-of-way along University Boulevard or 15<sup>th</sup> Avenue. The subject application does not propose any modifications to either of the two existing access points. No additional right-of-way is required or requested.

### **Master Plan Pedestrian and Bike Facilities**

The MPOT recommends a shared roadway along the property's frontage on 15<sup>th</sup> Avenue and a side path along University Boulevard. Staff recommends the applicant install a "Share the Road" sign on 15<sup>th</sup> Avenue unless modified by an operating agency.

### **Transportation Planning Review**

#### **Zoning Ordinance Compliance**

#### **Departure from Parking and Loading Spaces**

Section 27-588.7(A)(i-v) lists the required findings to grant a departure from the number of parking and loading spaces required.

#### **(7) Required findings**

**A) In order for the Planning Board to grant the departure, it shall make the following findings:**

**(i) The purposes of this Part (Section 27-550) will be served by the applicant's request**

**Comment:** The submitted statement of justification (SOJ) indicates that the proposal is consistent with the purposes of the Off-Street Parking and Loading requirements of the ordinance. Despite the reduction in on-site parking, staff concur that under the current parking arrangement, sufficient parking is provided to serve the use. Additionally, the parking lot is conveniently located onsite and is accessible from 15<sup>th</sup> Avenue and University Boulevard, which deters traffic from neighboring streets and protects the character of the nearby residential streets.

**(ii) The departure is the minimum necessary, given the specific circumstances of the request**

**Comment:** Staff concurs that the Purple Line transit facility significantly reduces the size of the existing parking lot. As such, a parking and loading departure is necessary to reconfigure the parking lot to provide an optimal amount of parking for the on-site uses. However, it should be noted that staff recommends the approval of DDS-22005, which has been submitted in conjunction with DPLS-22007, so that the applicant is able to provide the proposed 107 parking spaces.

**(iii) The departure is necessary in order to alleviate circumstances which are special to the subject use, given its nature at this location, or alleviate circumstances which are prevalent in older areas of the County which were predominantly developed prior to November 29, 1949**

**Comment:** As previously discussed, the construction of the Purple Line transit facility along University Boulevard has significantly reduced the parking lot area, resulting in the loss of 40 standard-sized parking spaces, totaling a 30% decrease in available parking. Additionally, the parking lot serves an operating shopping center with limited lot coverage, to which the proposed number of spaces will still allow adequate circulation on site. The departure is necessary, in conjunction with DDS-22005, to allow the applicant to reconfigure the parking lot to maximize the amount of parking as well as alleviate the impact of the Purple Line transit facility.

**(iv) All methods for calculating the number of spaces required (Division 2, Subdivision 3, and Division 3, Subdivision 3, of this Part) have either been used or found to be impractical**

**Comment:** The applicant has followed the method for calculating parking spaces as provided in Section 27-568. This method requires 124 parking spaces for a shopping center with a medical clinic that exceeds 20% of the total square footage.

**(v) Parking and loading needs of adjacent residential areas will not be infringed upon if the departure is granted.**

**Comment:** The SOJ indicates that this request will meet the needs of the subject site. While only providing 107 parking spaces is a 17-space departure from the minimum requirement, the applicant asserts that most customers arrive at the shopping center as pedestrians or by public transit due to the nearby college. The applicant contends that the current proximity to public transit with the addition of the nearby Purple Line light rail station, Riggs Road, will offset the need for parking and thereby not be a hinderance to adjacent residential areas. Staff concurs with this assessment.

**Departure from Design Standards**

Section 27.239.01.7(A)(i-iv) discusses the required findings for departures from design standards.

**(A) In order for the Planning Board to grant the departure, it shall make the following findings:**

**(i) The purposes of this Subtitle will be equally well or better served by the applicant's proposal;**

**Comment:** The applicant is proposing that all parking spaces except for compact spaces and handicap spaces be 9-feet by 18-feet. Staff agrees that reducing the parking space size will allow the applicant to nearly meet the minimum parking space requirement for the use as well as continue to provide acceptable parking on site that accommodates pedestrian and vehicle circulation within the lot.

**(ii) The departure is the minimum necessary, given the specific circumstances of the request.**

**Comment:** The submitted SOJ indicates that the departure from the standard parking space size is necessary to maximize the number of spaces available on site while providing driveway aisle widths that meet the Zoning Ordinance requirements. In reviewing the subject application's site plan, it does not appear that there is sufficient space to utilize the standard parking size without significantly decreasing the amount of parking available or increase the parking spaces at the modified parking size without compromising the circulation on site. This departure is the minimum number of spaces necessary to both accommodate the uses associated with the parking lot and maintain efficient circulation. Staff concurs with this assessment.

**(iii) The departure is necessary in order to alleviate circumstances which are special to the subject use, given its nature at this location, or alleviate circumstances which are prevalent in older areas of the County which were predominantly developed prior to November 29, 1949**

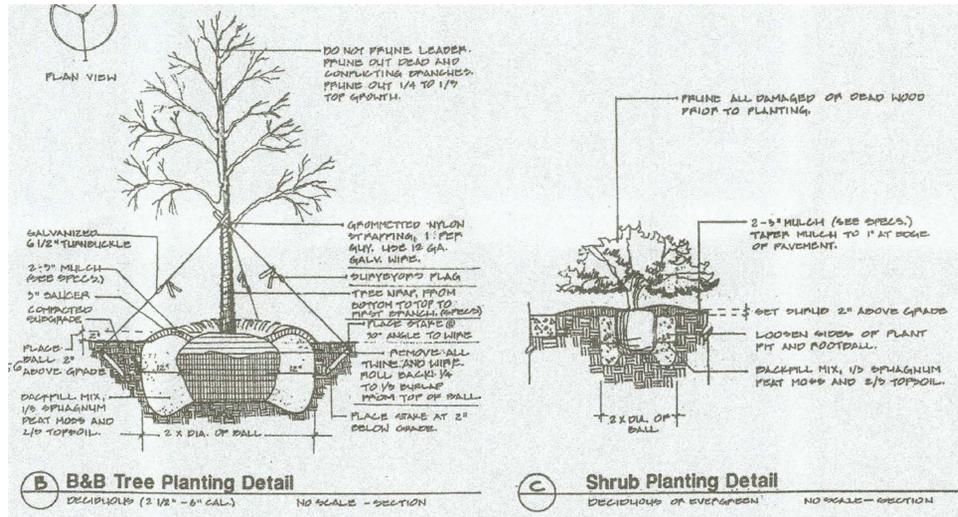
**Comment:** Staff agrees with the applicant's assertion that "the departure is necessary to alleviate circumstances unique to the site." The pre-existing buildings and the newly established University Boulevard right-of-way due to the Purple Line light rail development necessitate a reconfiguration of the parking lot. Staff concurs that a departure from design standards is necessary, as the modification in parking space size is needed to maximize the number of available spaces for the associated shopping center uses.

**(iv) The departure will not impair the visual, functional, or environmental quality or integrity of the site or of the surrounding neighborhood**

**Comment:** Staff concurs with the applicant's SOJ assertion that this departure will allow for the applicant to provide standard drive aisles as required by the Zoning Ordinance and adequately sized parking spaces to accommodate vehicles on site. Additionally at the recommendation of TPS staff, the applicant has provided additional signage on site to enhance vehicular circulation.

**Conclusion**

Based on the standards listed in section 27-588 and section 27-239 and the required findings, staff is in support of this application and is recommending approval of the Departure from Design Standards DDS-22005 and Departure from Parking and Loading Spaces DPLS-22007 University Place Shopping Center.



PARKING/ LOADING SPACE SCHEDULE				
(NOTE: THE USE OF THIS PROPERTY IS AN INTEGRATED SHOPPING CENTER HAVING A TOTAL OF 29,090 S.T. GFA. INCLUDING 6,986+ S.F. OF MEDICAL OFFICE (24%) AND 22,104 S.F. OF RETAIL, ETC)				
No.	TYPE OF USE	NUMBER OF SPACE	UNIT OF MEASUREMENT	TOTAL NUMBER OF PARKING SPACES REQUIRED
1	MEDICAL OFFICE (6,986+ s.f. GLA)	1	200 s.f. GLA	35
2	INTEGRATED SHOPPING CENTER RETAIL, ETC. (22,104 S.F. GFA)	1	250 s.f. GFA	89
TOTAL PARKING REQUIRED.....				124
PARKING PROVIDED				
A. REGULAR PARKING 9' X 18'				77
B. PARALLEL PARKING 8' X 22'				3
C. COMPACT PARKING (8.25' X 16.5')				22
D. HANDICAPPED ( 13' X 18' and w/ 1 Van-Handicaped 16' X 18')				5
TOTAL PARKING PROVIDED W/ DEPARTURE.....				107
LOADING REQUIRED (PRE-1970 REGULATIONS)				
No.	TYPE OF USE	NUMBER OF SPACE	UNIT OF MEASUREMENT	TOTAL NUMBER OF PARKING SPACES REQUIRED
1	COMMERCIAL BUILDING W/ WIDTH OF 210'	1	50' of Building Width	5
TOTAL LOADING PROVIDED W/ PRE-1970 REGULATIONS				5

**NOTE:**  
THE FOLLOWING VARIANCES WERE HEARD AND APPROVED BY THE BOARD OF ZONING APPEALS ON 9-14-1988, 3-22-1989, AND 4-5-1989 (BZA CASE NO. 9498)

SECTION OF ORDINANCE	REQUIREMENT SUMMARIZED	EXTENT OF VARIANCE
27.450 (a)(1)	10' LANDSCAPE STRIP	10'
27.450 (a)(2)	1/2 OF YARDS LANDSCAPED AND SCREENING	FULL
27.462 (b)	BUILDING SETBACKS: 10' FROM STREET; 25' REAR; 12' SIDE	FULL
27.462 (b)	STREET DEEMED TO BE 70' WIDE	EXISTING R.O.W. TO SUFFICE

LANDSCAPE DEVELOPMENT STATISTICS		
A.	TOTAL SQ. FT. OF PARKING COMPOUND	38,930 SF
B.	5% OF TOTAL PARKING COMPOUND AREA (REQUIRED FOR INTERIOR LANDSCAPING)	1947 SF
C.	INTERIOR LANDSCAPING AREA PROVIDED	2,258 SF
D.	NUMBER OF SHADE TREES REQUIRED AT 1 TREE PER 300 SQ. FT. OF REQUIRED INTERIOR LANDSCAPING AREA	7
E.	NUMBER OF SHADE TREES PROVIDED	7
F.	LINEAR FEET OF LANDSCAPING STRIP	387
G.	1 TREE PER EVERY 35 LINEAR FEET	12
H.	LANDSCAPING STRIP: SHADE TREES PROVIDED	12
I.	LANDSCAPE STRIP: SHRUBS REQUIRED AT 5 SHRUBS PER EVERY 35 LINEAR FEET	60
J.	LANDSCAPE STRIP: SHRUBS PROVIDED	60

PLANT SCHEDULE					
KEY	BOTANICAL NAME/COMMON NAME	SIZE	SPACING	QUANTITY	METHOD
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C	PYRACANTHA COCCINCA/LOWBOY/LOWBOY FIRETHORN	18-24" spd.	4 1/2 o.c.	170	CONT.

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 11101, EXPIRATION DATE: SEPT. 17, 2024



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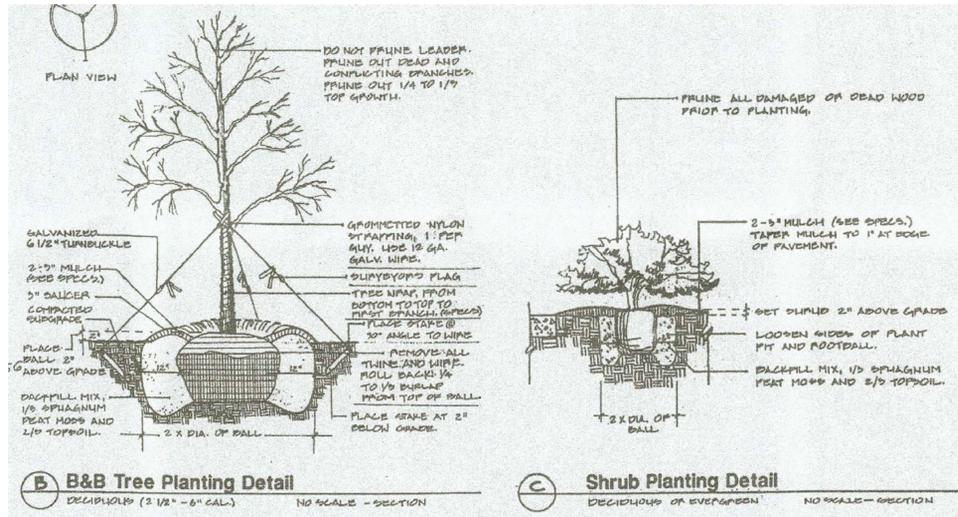
**UNIVERSITY PLACE SHOPPING CENTER**  
PARCEL 76  
TAX MAP 32, GRID C3  
CHILLUM DISTRICT, NO. 17  
PRINCE GEORGE'S COUNTY, MARYLAND

REVISIONS	
DATE	DESCRIPTION
9/1/23	FOR VARIANCE SUBMITTAL

**IS NOTES & DETAILS**

DATE: 08/30/23  
SCALE: AS SHOWN  
DRAWN: EMB  
DESIGNED: EMB/PLA  
CHECKED: PLA

SHEET: C-2 (2 OF 2)



PARKING/LOADING SPACE SCHEDULE				
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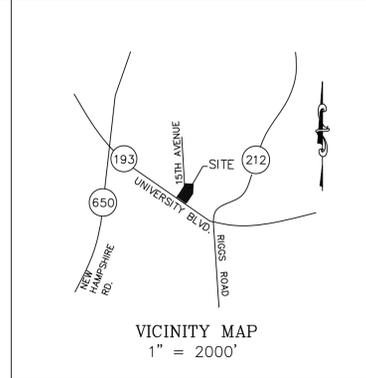
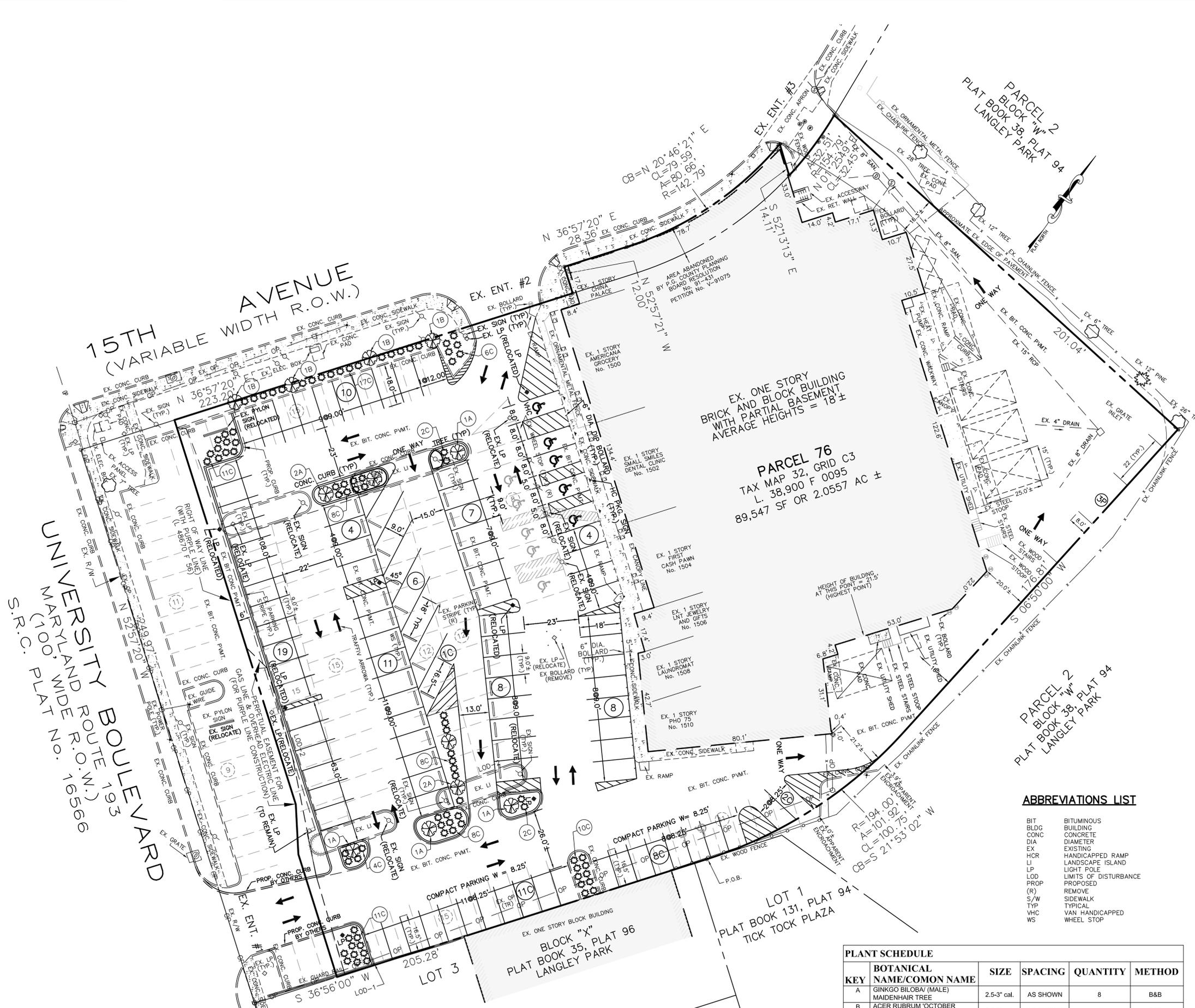
**UNIVERSITY PLACE SHOPPING CENTER**  
PARCEL 76  
TAX MAP 32, GRID C3  
CHILLUM DISTRICT, NO. 17  
PRINCE GEORGE'S COUNTY, MARYLAND

REVISIONS	DATE	DESCRIPTION
	9/1/23	FOR VARIANCE SUBMITTAL

**IS NOTES & DETAILS**

DATE: 08/30/23  
SCALE: AS SHOWN  
DRAWN: EMB  
DESIGNED: EMB/PLA  
CHECKED: PLA

SHEET: C-2 (2 OF 2)



- GENERAL NOTES**
- THIS PROPERTY CURRENT ZONING IS LTO-C & PRIOR ZONING IS C-S-C (COMMERCIAL SHOPPING CENTER). THE EXISTING BUILDING AND PARKING AREAS WERE CONSTRUCTED PRIOR TO 1965.
  - THE SURROUNDING PROPERTIES CURRENT ZONING IS LTO-C; PRIOR ZONING WAS R-18 & C-S-C. THE SURROUNDING USES INCLUDE MULTIFAMILY RESIDENTIAL DEVELOPMENT, A COMMERCIAL SHOPPING CENTER, AND AN AUTO PARTS STORE.
  - THE TOTAL AREA OF THE PROPERTY IS 2.0557 AC.
  - TOTAL LOD AREA = 4,400 SF.
  - THE PROPOSED PARKING LOT RECONFIGURATION WILL NOT RESULT IN AN INCREASE IN EXISTING IMPERVIOUS AREA.
  - THE SITE IS EXEMPT FROM APPLICATION OF THE 2010 LANDSCAPE MANUAL PER SECTIONS 1.1. LANDSCAPING PREVIOUSLY EXISTING ON SITE WHICH HAS DIED WILL BE RESTORED.

- PARKING WAIVER AND DDS/DPLS NOTES**
- THE BASE MAP FOR PARKING PLAN EXISTING PARKING IS BASED ON FIELD SURVEY OF 2017 AND MODIFIED TO SHOW EXISTING CONDITIONS.
  - THE EXISTING PYLON SIGN FOR SHOPPING CENTER (LOCATED ALONG THE FRONT) WILL BE REMOVED AND RELOCATED AS SHOWN.
  - THE EXISTING LIGHT POLES WILL BE REMOVED AS REQUIRED AND NEW LIGHT POLES WILL BE ADDED.
  - THE ON-SITE CURBING IS SHOWN FOR STORM DRAIN CONVEYANCE. IT IS ASSUMED THAT PG COUNTY WILL NOT REQUIRE SWM WATER QUALITY BASED ON MDE'S GUIDELINES TO COMPLY W/ ENVIRONMENTAL SITE DESIGN (ESD) VOLUME. THE ADDITION OF ANY ESD TYPE DEVICES ON SITE IS LIKELY TO INCREASE THE PARKING LOSS. IT IS ASSUMED THAT PURPLE LINE CONSTRUCTION WILL EXTEND THE STORM DRAIN TO ALLOW CONNECTION TO THE ON-SITE INLET (TO BE ADDED) AS REQUIRED.
  - SEE SHEET 2 FOR PARKING & LOADING SCHEDULE. PARKING WAIVER & DDS IS REQUIRED.
  - SEE SHEET 2 FOR PARKING LOT INTERNAL LANDSCAPING & VARIANCES APPLICABLE & APPROVED PREVIOUSLY.
  - PRIOR TO PROCEEDING WITH CONSTRUCTION, CONFIRM THE SLOPES TO MEET ADA REQUIREMENTS FOR HANDICAPPED PARKING SPACES.

**PARCEL 76**  
 TAX MAP 32, GRID C3  
 L. 38,900 F 0095  
 89,547 SF OR 2.0557 AC ±

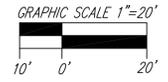
**PARCEL 2**  
 BLOCK "W"  
 PLAT BOOK 38, PLAT 94  
 LANGLEY PARK

**ABBREVIATIONS LIST**

BIT	BITUMINOUS
BLDG	BUILDING
CONC	CONCRETE
DIA	DIAMETER
EX	EXISTING
HCR	HANDICAPPED RAMP
LI	LANDSCAPE ISLAND
LP	LIGHT POLE
LOD	LIMITS OF DISTURBANCE
PROP	PROPOSED
(R)	REMOVE
S/W	SIDEWALK
TYP	TYPICAL
VHC	VAN HANDICAPPED
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**PLANT SCHEDULE**

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C	PYRACANTHA COCCINCA 'LOWBOY' LOWBOY FIRETHORN	18-24" spd.	4 1/2 OC	87	CONT.



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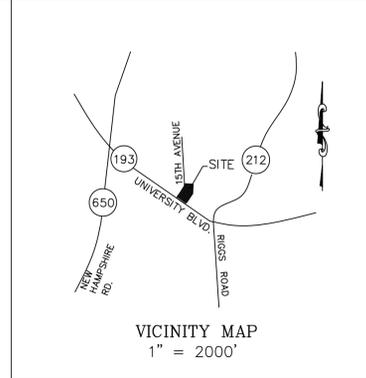
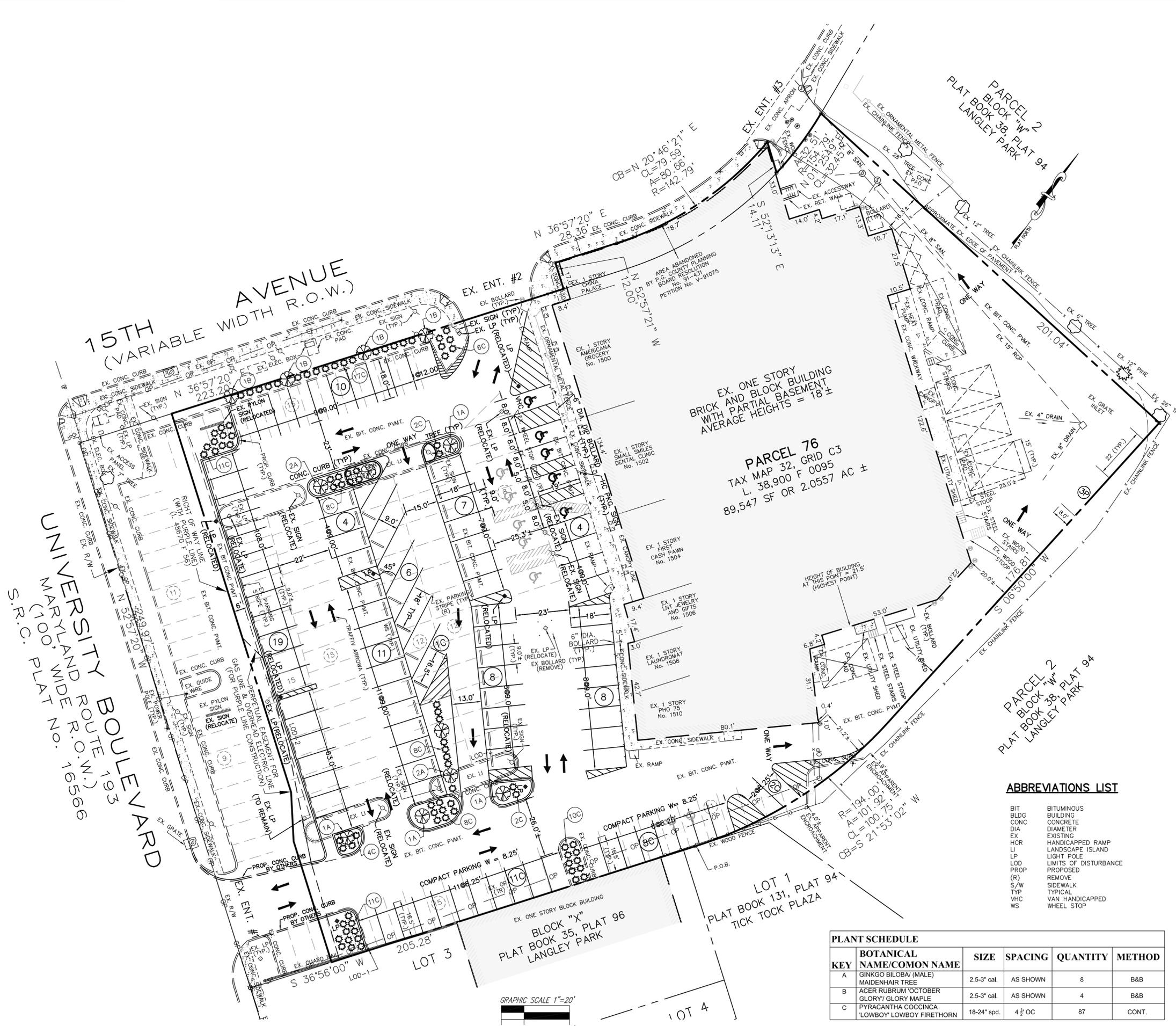
**UNIVERSITY PLACE SHOPPING CENTER**  
 PARCEL 76  
 TAX MAP 32, GRID C3  
 CHILLUM DISTRICT, NO. 17  
 PRINCE GEORGE'S COUNTY, MARYLAND

REVISIONS	DATE	DESCRIPTION
	11/01/23	FOR PRE-SUBMISSION
	9/7/2023	FOR VARIANCE SUBMITTAL

**TITLE: SITE & LS PLAN**

DATE: 06/27/23  
 SCALE: 1"=20'  
 SHEET: C-1 (1 OF 2)

DRAWN: EMB  
 DESIGNED: EMB/PLA  
 CHECKED: PLA



- GENERAL NOTES**
- THIS PROPERTY CURRENT ZONING IS LTO-C & PRIOR ZONING IS C-S-C (COMMERCIAL SHOPPING CENTER). THE EXISTING BUILDING AND PARKING AREAS WERE CONSTRUCTED PRIOR TO 1965.
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  - THE TOTAL AREA OF THE PROPERTY IS 2.0557 AC.
  - TOTAL LOD AREA = 4,400 SF.
  - THE PROPOSED PARKING LOT RECONFIGURATION WILL NOT RESULT IN AN INCREASE IN EXISTING IMPERVIOUS AREA.
  - THE SITE IS EXEMPT FROM APPLICATION OF THE 2010 LANDSCAPE MANUAL PER SECTIONS 1.1. LANDSCAPING PREVIOUSLY EXISTING ON SITE WHICH HAS DIED WILL BE RESTORED.

- PARKING WAIVER AND DDS/DPLS NOTES**
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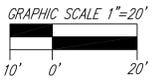
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**UNIVERSITY PLACE SHOPPING CENTER**  
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 CHILLUM DISTRICT, NO. 17  
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REVISIONS	DATE	DESCRIPTION
	11/01/23	FOR PRE-SUBMISSION
	9/7/2023	FOR VARIANCE SUBMITTAL

**TITLE: SITE & LS PLAN**

DATE: 06/27/23

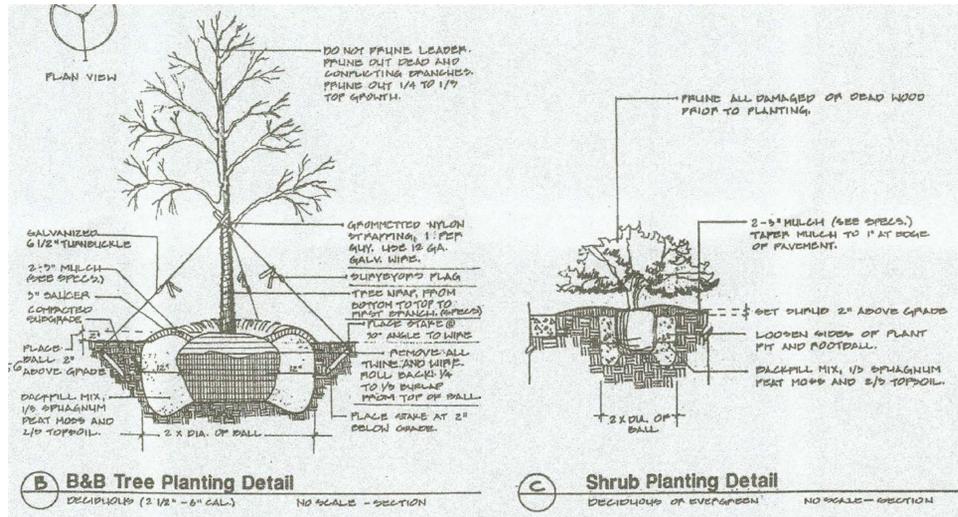
SCALE: 1"=20'

SHEET: C-1 (1 OF 2)

DRAWN: EMB

DESIGNED: EMB/PLA

CHECKED: PLA



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TOTAL LOADING PROVIDED W/ PRE-1970 REGULATIONS				5

**NOTE:**  
THE FOLLOWING VARIANCES WERE HEARD AND APPROVED BY THE BOARD OF ZONING APPEALS ON 9-14-1988, 3-22-1989, AND 4-5-1989 (BZA CASE NO. 9498)

SECTION OF ORDINANCE	REQUIREMENT SUMMARIZED	EXTENT OF VARIANCE
27.450 (a)(1)	10' LANDSCAPE STRIP	10'
27.450 (a)(2)	1/2 OF YARDS LANDSCAPED AND SCREENING	FULL
27.462 (b)	BUILDING SETBACKS: 10' FROM STREET; 25' REAR; 12' SIDE	FULL
27.462 (b)	STREET DEEMED TO BE 70' WIDE	EXISTING R.O.W. TO SUFFICE

LANDSCAPE DEVELOPMENT STATISTICS		
A.	TOTAL SQ. FT. OF PARKING COMPOUND	38,930 SF
B.	5% OF TOTAL PARKING COMPOUND AREA (REQUIRED FOR INTERIOR LANDSCAPING)	1947 SF
C.	INTERIOR LANDSCAPING AREA PROVIDED	2,258 SF
D.	NUMBER OF SHADE TREES REQUIRED AT 1 TREE PER 300 SQ. FT. OF REQUIRED INTERIOR LANDSCAPING AREA	7
E.	NUMBER OF SHADE TREES PROVIDED	7
F.	LINEAR FEET OF LANDSCAPING STRIP	387
G.	1 TREE PER EVERY 35 LINEAR FEET	12
H.	LANDSCAPING STRIP: SHADE TREES PROVIDED	12
I.	LANDSCAPE STRIP: SHRUBS REQUIRED AT 5 SHRUBS PER EVERY 35 LINEAR FEET	60
J.	LANDSCAPE STRIP: SHRUBS PROVIDED	60

PLANT SCHEDULE					
KEY	BOTANICAL NAME/COMMON NAME	SIZE	SPACING	QUANTITY	METHOD
A	GINKGO BILOBA/ (MALE) MAIDENHAIR TREE	2.5-3" cal.	AS SHOWN	8	B&B
B	ACER RUBRUM/OCTOBER GLORY/ GLORY MAPLE	2.5-3" cal.	AS SHOWN	12	B&B
C	PYRACANTHA COCCINCA/LOWBOY/LOWBOY FIRETHORN	18-24" spd.	4 1/2 o.c.	170	CONT.

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 11101, EXPIRATION DATE: SEPT. 17, 2024



**DESIGN ENGINEERING INCORPORATED**  
FULL SERVICE ENGINEERING & RELATED SERVICES  
18229-A FLOWER HILL WAY GAITHERSBURG, MARYLAND 20879  
PHONE: (301) 258-1173 EXT. 102  
CONTACT PERSON: PRITAM ARORA  
E-MAIL: parora@dei.us.com

**UNIVERSITY PLACE SHOPPING CENTER**  
PARCEL 76  
TAX MAP 32, GRID C3  
CHILLUM DISTRICT, NO. 17  
PRINCE GEORGE'S COUNTY, MARYLAND

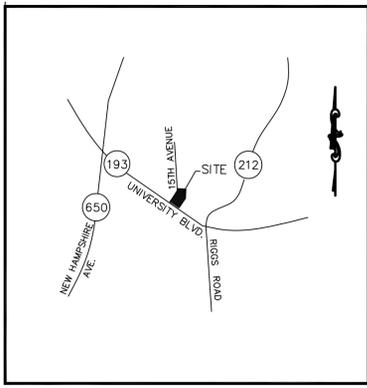
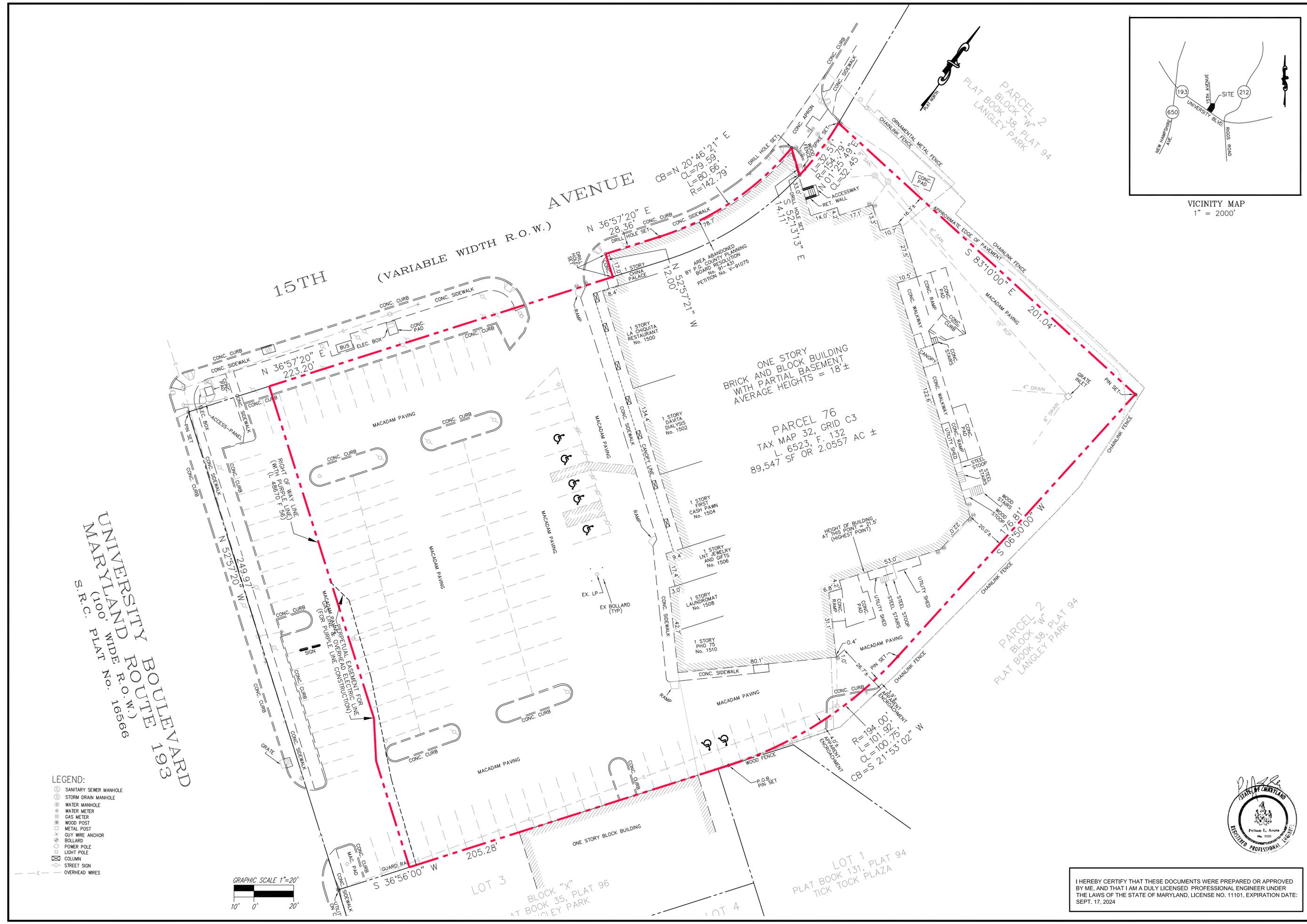
REVISIONS	DATE	DESCRIPTION
	9/1/23	FOR VARIANCE SUBMITTAL

**IS NOTES & DETAILS**

DATE: 08/30/23  
SCALE: AS SHOWN  
DRAWN: EMB  
DESIGNED: EMB/PLA  
CHECKED: PLA

SHEET: C-2 (2 OF 2)

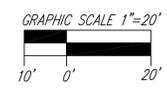




VICINITY MAP  
1" = 2000'

UNIVERSITY BOULEVARD  
MARYLAND ROUTE 193  
S.R.C. PLAT NO. 16566  
(100' WIDE R.O.W.)

- LEGEND:
- SANITARY SEWER MANHOLE
  - ⊙ STORM DRAIN MANHOLE
  - ⊙ WATER MANHOLE
  - ⊙ WATER METER
  - ⊙ GAS METER
  - ⊙ WOOD POST
  - ⊙ METAL POST
  - ⊙ GUY WIRE ANCHOR
  - ⊙ BOLLARD
  - ⊙ POWER POLE
  - ⊙ LIGHT POLE
  - ⊙ COLUMN
  - ⊙ STREET SIGN
  - OVERHEAD WRES



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DATE	AUG. 10, 2017	TITLE	SURVEY PLAT
SHEET	1 OF 1	REVISIONS	DATE DESCRIPTION
			9/7/23 UPDATE
		DRAWN:	MKR
		DESIGNED:	
		CHECKED:	NJR
PROJECT NAME:		UNIVERSITY PLACE SHOPPING CENTER	
		PARCEL 76	
		TAX MAP 32, GRID C3	
		CHILLUM DISTRICT No. 17	
		PRINCE GEORGE'S COUNTY, MARYLAND	
		DESIGN ENGINEERING INCORPORATED	
		ENGINEERING PLANNING	
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		PHONE: (301) 258-1173	
		FAX: (301) 258-0690	